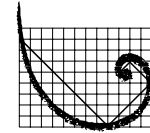


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June 6, 2002

Jon Arason, Director
Department of Planning and Zoning
City of Annapolis
160 Duke of Gloucester Street
Annapolis, MD 21401

Re: Zoning Code Update

Dear Mr. Arason:

Attached please find the following documents for review by the Planning Commission. The documents all relate to uses in the City's zoning districts.

1. *Comparison of existing and proposed zoning district structure.* This table summarizes existing and proposed zoning districts. Note, there have been some changes compared to this same table in the Annotated Outline, October 26, 2001.
2. *Permitted use tables based on current zoning districts.* There are four tables: residential; commercial and industrial; office and mixed use; and waterfront maritime. These tables have been created to enable comparison with the proposed use tables. A comments column in the table indicates how an existing use is proposed to be treated in the code update.
3. *Proposed tables of uses.* There are four tables: residential; commercial and industrial; office and mixed use; and waterfront maritime. Restaurant and food-related uses have not yet been completed.
4. *Division VI General Terms of and Rules of Measurement.* This document contains revisions to definitions in relation to the proposed use table. The document includes explanatory comments (marked [CG1] etc.) that appear at the end of the document and explain the significant changes being proposed.
5. *Division...Chapter... Use Provisions and Standards.* This document contains the standards for uses indicated as subject to standards in the two proposed tables of uses. This document also includes explanatory comments (marked [CG1] etc.) that appear at the end of the document that explain the significant changes being proposed.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Clive Graham
Senior Planner

DRAFT

Comparison of Existing and Proposed Zoning District Structure

Note that the names of the districts in the proposed structure may be changed

EXISTING STRUCTURE	DISTRICT TYPE	PROPOSED STRUCTURE
Residence Districts		Residential Districts
R1 Single Family Residence	Residential	R1A Single Family Residence
R1A Single Family Residence	Residential	R1 Single Family Residence
R1B Single Family Residence	Residential	R1B Single Family Residence
R2 Single Family Residence	Residential	R2 Single Family Residence
R3 General Residence	Residential	R2-Eastport (former RC)
R4 General Residence	Residential	R3 General Residence
R5 General Residence	Residential	R3 West Street (former NC)
		R3 Presidents Hill (former RC-2)
		R4 General Residence
		R4 Clay Street (former RR)
		C1 Conservation Residence
		C1A Special Conservation Residence
Business Districts		
B1 Convenience Shopping	Commercial	
B1A Expanded Convenience Shopping	Commercial	
B2 Community Shopping	Commercial	
B3 General Commercial	Commercial	
Industrial Districts		Commercial and Industrial Districts
I1 Light Industrial	Industrial	B1 Convenience Shopping
		B2 Community Shopping
		B3 General Commercial
		B3-CDO
		BCE Business Corridor Enhancement
		BR Business Revitalization
		C2 Conservation Business
		C2A Special Conservation Business
		PM2 Professional Mixed Office Park
		I1 Light Industrial
		Office and Mixed Use Districts
		P Professional Office
		MX Mixed Use
		PM Professional Mixed Office
		C2P Special Conservation Professional
		Waterfront Maritime Districts
		WMC Waterfront Maritime Conservation
		WMM Waterfront Mixed Maritime
		WMI Waterfront Maritime Industrial
		WME Waterfront Maritime Eastport
		Overlay Districts
		Critical Area
		Historic District
Conservation Districts		
C1 Conservation Residence	Residential	
C1A Special Conservation Residence	Residential	
C2 Conservation Business	Commercial	
C2A Special Conservation Business	Commercial	
C2P Special Conservation Professional	Office	
Waterfront Maritime Districts		
WMC Waterfront Maritime Conservation	Maritime	
WMM Waterfront Mixed Maritime	Maritime	
WMI Waterfront Maritime Industrial	Maritime	
WME Waterfront Maritime Eastport	Maritime	
Professional Office Districts		
PM2 Professional Mixed Office Park	Mixed Use	
P Professional Office	Office	
PM Professional Mixed Office	Mixed Use	
Special Districts		
Historic District	Special Overlay	
PT Office and Residential Transition	Mixed Use	
NC Neighborhood Conservation Overlay	Residential	
Critical Area	Special Overlay	
RC Residential Conservation Overlay	Residential	
RC2 Residential Conservation Overlay2	Residential	
CDO (Corridor Design Overlay)	Commercial	
BCE Business Corridor Enhancement	Commercial	
Mixed Use District		
MX Mixed Use	Mixed Use	
BR Business Revitalization	Commercial	
RR Residential Revitalization Overlay	Residential	

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	RIA	RIB	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Accessory uses and buildings incidental to and on the same zoning lot as the principal use, including signs										P					
Agriculture	P	P	P	P											Delete
Agricultural buildings and structures	A	A	A	A											Delete
Airports and commercial heliports, including aircraft landings fields, runways, flight strips and flying schools, together with hangars, terminal buildings and other auxiliary facilities	S			S											Delete
Apartment hotels. In apartment hotels containing forty or more dwelling units: restaurants, drugstores, retail food shops, valet shops, beauty shops, barbershops, gift shops and physical health facilities (including massage, steam bath, gym).						P	P								
Bed and breakfast in a structure constructed or erected after December 14, 1998 on a vacant lot of record except where....												S			
Bed and breakfast homes <i>standards vary by district, some districts use term “facility” versus home</i>								P	P	P	P	P		P	
Cemeteries	P	P	P	P											
Civic, nonprofit organizations								S		P					Combine with Philanthropic & charitable
Driveways, walkways, parking or access for uses located in an adjacent nonresidential district	S	S	S	S	S	S	S								
Dwellings, multifamily (in principal structures existing at the time of adoption of the amendment) , containing six or fewer dwelling units, subject to the following standards											P				
Dwellings, multifamily, containing six or fewer dwelling units										P					Delete with PT
Dwellings, multifamily dwellings and townhouses					S	S	S								Separate into multifamily and attached categories Refer to townhouses as attached units, and delete from the title.

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	R1A	R1B	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Dwellings, multi-family lawfully existing on June 20, 1994 shall be deemed to be conforming for the purposes of condominium conversion									P						Move to table of conformities
Dwellings, multifamily, including single-family and two-family attached dwellings								S							Separate. Refer only to “two-family dwellings”, not “two-family attached dwellings”.
Dwellings, multifamily, containing more than six units										S					Delete with PT
Dwellings, single-family detached	P	P	P	P	P	P	P	P	P	P					Separate
Dwellings, single-family and two-family attached, but not including mooring slips or docks.					P	P	P								Delete. Mooring slips and docks <u>are</u> permitted as an accessory use.
Dwellings, two-family detached					P	P	P	S	S	P					
Dwellings, two-family attached										P					
Family day care, not to exceed eight children, and pick-up and discharge of children shall not impede the orderly flow of traffic	A	A	A	A	A	A	A								Move standards to standards section
Garages and carports	A	A	A	A	A	A	A	A	A						
Gardens, greenhouses and conservatories, private (noncommercial),								A	A						Combine with next
Greenhouses and conservatories, private (noncommercial)	A	A	A	A	A	A	A								
Group day care centers	S	S	S	S	S	S	S	S		S					
Group day care centers, in conjunction with existing public school facilities, provided the following standards are met, subject to review and approval by the department of Planning and Zoning	A			A	A	A	A								
Group homes								S		S					
Historic buildings and shrines for patriotic, cultural and educational purposes								P	P						Combine with galleries & museums

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	R1A	R1B	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Home occupations (<i>subject to special standards</i>)													P		Make accessory as for other districts. Add unique provisions to special standards. Delete posting requirement (21.96.030 B.8) – sufficient protections in home occupations regulations.
Home occupations	A	A	A	A	A	A	A	A	A						
Inns	S	S	S	S	S	S	S	S	P	S					List “country inn” as an inn subject to standards. Delete as P in C1A – typographical error in code (standards relate to Bed and Breakfasts)
Living quarters, detached, for persons employed on the premises if occupied only by those persons and their immediate family	A	A		A	A	A	A	A	A						Move the “standard” part of the use to standards
Mooring slip or dock, private	A	A	A	A	A	A	A	A	A						
Office or studio of a professional person, without sales, storage or display of goods or advertising material, conducted in a building suited to residential use or conforming in appearance to a building suited to residential use								S							Move standards to standards section.
Offices: professional, business, governmental and nonprofit										P					Delete with PT
Office/warehouse park										P					Delete with PT
Other uses not enumerated specifically in this section ... but determined by the planning and zoning director to be similar in character and use ...										P					Will become part of generic rules
Philanthropic and charitable institutions, but <i>not including businesses sponsored by those institutions, except businesses accessory or incidental to and located in the same building as the institution proper</i>	S	S	S	S	S	S	S								Move clarifying phrase in italic to the standards chapter.
Planned developments										S					Delete with PT

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	R1A	R1B	R2	R3	R4	R5	C1	C1A	PT	NC Over-lay	RC Over-lay	RR Overlay	RC Overlay 2	Comments
Planned developments, residential, in accordance with Chapter 21.74	S	S	S	S	S	S	S								Planned developments to be permitted subject to Planning Commission approval.
Radio and television stations and towers, transmitting and receiving	S	S	S	S											Regulations to be reworked
Real estate tract offices (temporary) for the purposes of conducting the sale of lots of the tract upon which the tract office is located, for a period not to exceed two years	A	A	A	A	A	A	A								Treat under temporary uses
Roominghouses						P									Delete
Signs, as regulated in this chapter	A	A	A	A	A	A	A	A	A						
Signs , temporary								P	P						
Stables, private (noncommercial)	A	A	A	A	A	A	A								
Storage of building materials and equipment and temporary buildings for construction purposes, for a period not to exceed the duration of the construction	A	A	A	A	A	A	A								Temporary
Tool houses, sheds and other similar buildings for the storage of domestic supplies and equipment (<i>language varies slightly from district to district</i>)	A	A	A	A	A	A	A	A	A						
Undertaking establishments and funeral parlors										S					
Educational and Cultural Institutions															
Colleges								P							
Colleges, junior colleges and universities, including fraternity and sorority houses, dormitories and other structures and facilities necessary to the operation of a college or university and group homes	S	S	S	S	S	S	S								Simplify to “colleges”
Elementary schools and Recreational buildings and community centers, noncommercial existing as of June 20, 1994								P							Separate – list in table of conformities
Elementary, junior high and senior high schools, noncommercial								P							Delete. Public schools to come under governmental uses.
Elementary schools (nonboarding)	P	P	P	P	P	P	P			P					Combine and simplify

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	RIA	RIB	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Elementary and high schools (boarding)	S	S	S	S	S	S	S								
Junior or senior high schools (nonboarding)	P	P	P	P	P	P	P								
Public art galleries	P	S		P	P	P	P	P		P					Create generic
Public libraries	P	P	P	P	P	P	P	P		P					
Public museums	P	S	S	P	P	P	P	P		P					Combine with art galleries
Public aquariums	P	S	S	P	P	P	P								Delete
Vocational schools	S	S	S	S	S	S	S								
Health and Medical Institutions															
Convalescent, nursing and rest homes	S	S	S	S	S	S	S	S		S					Rename as rest home or nursing home – per existing definition “Rest home”
Hospitals	S	S	S	S	S	S	S	S							Combine
Sanitariums	S	S	S	S	S	S	S								
Housing for the elderly							S								Delete: combine with next
Institutions for the care of the aged and of children	S	S	S	S	S	S	S	S		S					Delete “children” – covered under rest home
Institutions for the care or treatment of alcoholics, drug addicts and the mentally ill	S	S	S	S	S	S	S								
Penal and correctional institutions	S			S	S	S	S								
Public Utility and Service															Combine and simplify under “Government” uses
Electric substations	S	S	S	S	S	S	S	S							
Fire stations	S	S	S	S	S	S	S			S					
Gas regulator stations	S	S	S	S	S	S	S	S							
Police stations	S	S	S	S	S	S	S			S					
Parking garages, as accessory to a permitted use										S					
Post offices	S	S	S	S	S	S	S			S					
Public buildings and offices	S			S	S	S	S								

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	R1A	R1B	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Governmental offices and services as follows: 1. City office buildings, courts, armories, mansions, fire and police stations, 2. Municipal parking lots;								S							
Public garages, sign shops, utility shops and storage yards	S			S	S	S	S								
Public refuse recycling collection facilities	S			S	S	S	S								
Public transportation depots	S	S	S	S	S	S	S								
Sewage and water pumping stations	S			S	S	S	S								
Sewage treatment plants, community	S	S	S	S	S	S	S								
Telephone exchanges, telephone transmission equipment buildings and microwave relay towers	S	S	S	S	S	S	S	S							
Water tanks and standpipes	S			S	S	S	S								
Waterworks, reservoirs, pumping stations and filtration plants	S	S	S	S	S	S	S								
Waterworks, water pumps and water towers								S							
Other public utility and service uses determined by the planning and zoning director to be similar in nature and impact as the uses specifically enumerated in this subsection	S			S	S	S	S								
Recreational and Social Facilities															
Athletic fields and playgrounds	A	A	A	A	A	A	A								Delete: customary accessory use.
Boathouses, private															Delete: appears only in accessory bulk regulations for R5 district
Clubhouses and other structures on the grounds of private clubs, golf courses, polo and tennis clubs <i>Not listed under permitted uses. Listed in bulk regulations table.</i>	1	1		1	1	1	1								Delete: would be accessory to recreational and social clubs
Golf courses, but not golf driving ranges, pitch and putt, or miniature golf courses	P	P	P	P	P	P	P								Delete except for R1.
Parks and playgrounds (noncommercial)	P	P	P	P	P	P	P								Delete: governmental use
Recreational and social clubs (noncommercial)	S	S	S	S	S	S	S								

City of Annapolis Permitted Use Table Based on Current Residential Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	R1	RIA	RIB	R2	R3	R4	R5	C1	C1A	PT	NC Over- lay	RC Over- lay	RR Overlay	RC Overlay 2	Comments
Recreational buildings and community centers (noncommercial)	P	P	P	P	P	P	P	P		P					Delete: governmental use
Recreational buildings and community centers (commercial)										S					Delete with PT
Social and fraternal organizations, but not including businesses sponsored by the organizations								S		S					Combine with philanthropic
Stables, private (noncommercial)	A	A	A	A	A	A	A								
Stadiums and grandstands in athletic fields	A	A	A	A	A	A	A								Delete: customary accessory use.
Tennis courts, private, (noncommercial)	A	A	A	A	A	A	A								Delete: customary accessory use.
Swimming pools, private, (noncommercial)								A	A						Delete: customary accessory use.
Religious Institutions															
Churches, chapels, temples and synagogues	P	S	S	P	P	P	P	P	P	P					List under religious institutions
Convents, seminaries, monasteries and nunneries	P	S	S	P	P	P	P	P	P	P					Delete, combine with religious institutions
Group daycare centers (accessory) servicing a principal religious institution	S	S	S	S	S	S	S	S							Combine with group day care
Rectories, parsonages and parish houses	P	P	P	P	P	P	P	P	P						Delete, combine with religious institutions
Religious education buildings								P	P						Delete, combine with religious institutions
Religious retreats	P	S	S	P	P	P	P			P					Delete, combine with religious institutions
Secondary religious facilities servicing a principal religious institution	A	S		A	A	A	A	A	A						Delete, combine with religious institutions

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Any retail and service use over 25,000 sf gross floor area					S						Rename as “non-residential uses”.
Accessory buildings and uses incidental to and on the same zoning lot as the principal uses, including signs as regulated in this title									P	P	Combine these into one category.
Accessory uses, incidental to and on the same zoning lot as the principal use	S	S	S	S			P	P		S	
Accessory uses to uses permitted in this section						P					
Accessory uses, incidental to and on the same zoning lot as the principal use, including signs as regulated in this division.	P	P	P	P	P						
Adult bookstores				S	S						Add video
Air, railroad and water freight terminals;										S	Delete use
Airports and commercial heliports, including aircraft landing fields, runways, flight strips and flying schools, together with hangars, terminal buildings and other auxiliary facilities;										S	Delete.
Amusement arcades				P	P						Combine these two. Add to the B2; in the more highway-oriented locations
Amusement establishments, including bowling alleys, pool halls, dance halls, swimming pools and skating rinks				P	P						
Amusement establishments, including archery ranges, shooting galleries and other similar amusement facilities				S							Delete category. Unsuitable for the B3.
Amusement parks, including permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses and other similar outdoor amusement facilities				S							
Animal hospitals and kennels				S							Separate and combine with veterinarian.
Antique stores	P	P	P	P	P	P	P	P	P (1)		
Armories							S				Delete. Government use. State armory is exempt.

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	I1	Comments for treatment in updated regulations
Art and school supply stores		P	P	P	P	P	P	P	P (1) (2)		Make part of generic “Art and Craft Stores”
Art or cultural center					P						
Art gallery									P		?
Art shop, gallery, supplies					P	P	P	P	P (1) (2)		
Art shops or galleries, but not including auction rooms			P	P	P						Combine with above use. Delete “but not including auction rooms” since this is listed separately.
Artist studios	P		P	P	P						Combine.
Artist studios, with retail sales only and only of items produced on the premises		P									
Auction rooms				P	P						
Auto parts sales					P						Combine. See grouping of all auto uses below.
Automobile accessory stores							P	P			
Automobile laundries			S	S	S						Use term “wash” versus laundry.
Automobile service stations			S	S	S						
Bake shops	P	P	P	P	P	P	P	P			Combine, since both are permitted in nearly all districts. Permit in the C2.
Bakeries	P	P	P	P	P	P	P			P	
Bakery – The room or rooms containing the baking process shall not exceed a total of two thousand four hundred square feet in area				S							Add to I1
Banks and financial institutions			P	P	P		P	P			Combine. Drive through is a Special Exception for any use.
Banks and financial institutions, including drive-through windows									P (1) (2)		
Banks and financial institutions, without drive-in facilities						P					
Barbershops	P	P	P	P	P	P	P	P	P (1) (2)		Include in generic “Personal care establishments”, might also include tailors.
Beauty Parlors	P	P	P	P	P	P	P	P	P (1) (2)		

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Bedding manufacturing										P	Include in generic “Light manufacturing”
Bicycle sales, rental and repair stores			P	P	P	P	P	P			
Blueprinting and photostating establishments			P	P	P		P	P	P (1) (2)		Combine with Photocopying and reproduction services
Boat showrooms				P	P						
Book and stationery stores		P	P	P	P	P	P	P	P (1) (2)		Combine
Book stores	P		P	P	P						
Boot and shoe manufacturing										P	Light manufacturing
Building material and products sales				S	P						Combine
Building materials sales and storage;										P	
Business machine sales and service			P	P	P	P	P	P	P (1) (2)		See below under Office machine sales and servicing
Business supply					P						Delete – use is unclear.
Camera and photographic supplies stores		P	P	P	P	P	P	P	P (1) (2)		Add to B1, expand uses.
Candy shops and candy stores									P (1)		
Candy stores, where only candy prepackaged off the premises is sold	P	P	P	P	P		P				Combine.
Candy shops, provided that candy is not made on the premises						P					
Candy stores, other than as permitted under Section 21.30.035(B)(1) <i>Reference should be to .025 not .035, refers to where only candy prepackaged off the premises is sold is permitted. Similar distinction in BR</i>	S	S	S	S		P					Keep distinction
Carpet manufacturing;										P	
Carpet and rug stores, retail sales only			P	P	P	P	P	P	P (1)		
Cartage and express facilities				S						P	Suggest replacing with “moving and storage establishments”, and listing together with warehousing
Catering establishments			S	S	P	P					Delete

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	I1	Comments for treatment in updated regulations
Catering establishments, where no food, beverages and/or desserts are sold on the premises	P	P	P	P			P				Permit only in BCE and I1
China and glassware stores		P	P	P	P	P	P	P	P (1)		
Christmas tree and greens sales and produce subject to the following standards			P	P	P					P	
Churches, chapels, temples, synagogues									P		
Churches, chapels, temples, synagogues, rectories, parsonages and parish houses			S	S	P						“rectories, parsonages and parish houses” are considered accessory to a church
Cloth products manufacturing										P	
Clothes pressing establishments			P	P	P						Delete. Address through dry cleaning/laundries etc.
Clothing and costume rental stores			P	P	P				P (1)		Combine with other categories: wearing apparel,
Clubs and lodges, nonprofit and fraternal			P	P	P		P	P			
Clubs, lodges and meeting halls, except as provided that there are no on-premises food or beverage preparation facilities						P					These uses can be simplified/combined. Main issue is the food/beverage preparation
Club or lodge (<i>I1 = Lodges and offices of labor organizations</i>)					P					P	
Clubs, lodges and meeting halls, if there are on-premises food or beverage preparation facilities (<i>in this case the use is subject to standards</i>)						P					
Clubs, where food service is not a predominant aspect of the club’s operation and membership is based upon one or more nonfood related shared characteristics (<i>this language is from 21.34.025(A)</i>)			P	P	P						Delete “and membership is based upon one or more nonfood related shared characteristics”. If the issue is food preparation, why disallow a club that is interested say in gastronomy?
Clubs, other than as permitted under Section 21.34.025(A)			S	S							
Coffee shops						P	p				Address in restaurant update.
Coin and philatelic stores <i>word stamp is used in BCE, BR</i>			P	P	P	P	P	P			
Computer and communications products, sales, rental and service businesses						P					

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Contractor or construction offices, shops and yards <i>II = Contractors', architects' and engineers' offices, shops and yards</i>				S						P	
Convenience stores					S	P			P (1)		
Convenience stores, where two hundred square feet or less of gross floor area is devoted to food preparation and storage of food items to be prepared. The gross square footage of the establishment may not exceed four thousand square feet	P	P	P	P	P						
Cosmetics production										P	Light manufacturing
Courts							S				Delete or include under Office - government. Implication is that courts are not allowed elsewhere but state court on Rowe Blvd is in R2.
Custom dressmaking “Dressmaking/tailoring” in BCE		P	P	P	P	P	P	P			
Dairy products;										P	Unclear what this is. Delete or include under generic “light manufacturing” category.
Day care centers, child									P		
Day care centers, group, servicing a principal religious institution			S								
Dental laboratories						P			P (1)		Combine with other laboratories
Department stores			P	P	P		P	P			Delete in C2A?
Drive-in facilities associated with permitted or special exceptions					S						Combine
Drive-in establishments for permitted uses			S	S							
Drugstores	P	P	P	P	P	P	P	P	P (1) (2)		
Dry cleaning					P						Combine/consolidate this use. Include “Clothes pressing” use if necessary
Dry cleaning and laundry receiving stations, processing to be done elsewhere	P	P	P	P	P						
Dry cleaning establishments, employing not more than four persons			P	P	P						

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	I1	Comments for treatment in updated regulations
Dry cleaning establishments, pick-up only							P	P			
Dry cleaning establishments, including package retail dry cleaning plants and/or pickup						P			P (1) (2)		
Dry good stores			P	P	P	P	P	P	P (1)		
Dry goods stores, including the retail sale of fabrics, sheets and towels (“ <i>fabric store</i> ” in BCE)		P			P						
Dwelling units and rooming units in conjunction with business establishments, but only above the ground floor	P	P	P	P	P	P					
Dwellings, above the ground floor							P	P			Combine as “Dwellings, multifamily, above the ground floor of nonresidential uses”.
Dwellings Multifamily, above the ground floor of nonresidential uses						P					
Dwellings Multifamily							S		S		
Dwellings, single-family attached							S		S		
Dwellings, single-family detached	P	P					S		P		
Dwellings, two-family detached							S		P		
Dwellings, two-family attached							S				
Dwellings for watchmen and their families, located on the premises where they are employed in that capacity;				P						P	
Elderly housing					P						Replace with “Institutions for the care of the aged”
Electrical and household appliance stores, including radio and television sales			P	P	P	P	P	P	P (1)		Combine under appliance store
Electrical showrooms and shops				P	P						
Electronic and scientific precision instruments manufacturing;										P	
Employment agencies						P	P	P			Cover under “Offices, business and professional”
Exterminating shops				P	P						Delete in B3 and BCE. Add to I1.
Feed and seed stores				P	P					P	Delete. Seed stores are covered under "Garden supply". No need to cover feed stores separately.

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Florist shops	P	P	P	P	P	P	P	P	P (1) (2)		Cover under Personal care establishment
Food manufacture, packaging and processing										P	
Food stores							P		P (1)		Combine; no need to list meat separately.
Food stores and meat markets	P		P	P	P						
Frozen food stores, including locker rental in conjunction with the stores			P	P	P						Cover under generic “food stores”.
Fuel and ice sales				P	P					P	Delete. Office function covered under “Office, business and professional”.
Furniture sales					P						Combine. Delete upholstering portion (would be covered as accessory).
Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use			P	P	P		P	P	P (1)		
Fur processing;										P	Cover under generic.
Furriers					P						Delete, covered under furrier shop
Furrier shops, including the incidental storage and conditioning of furs			P	P	P		P	P	P (1)		
Garages for storage, repair and servicing of motor vehicles			S							P	Combine. List under auto uses. See grouping of all auto uses below.
Garages for storage, repair and servicing of motor vehicles, including body repair, painting, and engine rebuilding				P	P						
Garden supply store					P						Delete
Garden supply, tool and seed stores			P	P	P	P	P	P	P (1)		
Garden supply, tool and seed stores (with storage in enclosed buildings only)		P									Maintain this limitation in B1 B1A consolidation.
Gift shops		P	P	P	P	P	P	P	P (1) (2)		Add as permitted use in B1
Glass products production and sales;										P	
Greenhouses and nurseries				P	P						Combine, delete wholesale limitation.

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Greenhouses, wholesale;										P	
Group homes	S		S	S			S				Allow in B1, B1A consolidation
Hardware stores	P	P	P	P	P				P (1)		Combine and include in a generic category
Hardware and paint and wallpaper stores						P	P	P			
Home improvement store									P (1)		Add this to B2 and BCE?
Health services							P	P			Combine with “Medical and Dental Clinics, or with Office, medical?”
Heliports, private										S	See note above under airports
Hobby shops, retail sales of items to be assembled or used away from the premises			P	P	P	P	P	P	P (1)		If covered under generic “general retail”, may delete condition. Add to B1,B1A uses.
Hotels			S	S	S		S				
House trailer parks, in accordance with subsection B of Section 21.06.020				S							Delete
House trailer sales				S							
Ice cream stores						P			P		Combine?
Ice cream stores, where the gross square footage of the establishment does not exceed two thousand square feet. The service of non-ice cream food items for consumption off the premises, other than beverages, is prohibited	P	P	P	P	P		P				
Inns			S	S	S		S				
Insulating materials manufacture;										P	
Interior decoration					P						Delete,
Interior decorating and furniture stores, including upholstering and making of draperies, slipcovers, and other similar articles						P					Combine
Interior decorating shops, including upholstering and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations secondary to the principal use			P	P	P		P	P	P (1)		
Jewelry sales and repair					P						Combine
Jewelry stores, including watch repair		P	P	P	P	P	P	P	P (1)		

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Laboratories, medical and dental				P	P						Combine
Laboratories, research and testing;										P	
Laundrettes, automatic, self-service only or hand laundries, employing not more than two persons in addition to one owner or manager	P	P	P	P	P						Simplify
Laundrettes and hand laundries						P	P	P	P (1)		
Laundries;										P	
Laundries, room or rooms containing the laundering process (washing, drying, ironing and wrapping) shall not exceed a total of two thousand four hundred square feet in area				P	P						
Leather goods and luggage stores			P	P	P	P	P	P	P (1)		
Library, public					P				P		Put under governmental
Light machinery production, appliances, business machines, etc.;										P	
Liquor store					S		P	P			Combine
Liquor stores, packaged goods			P	P							
Lithographing;										P	Combine with “printing”
Locksmith shops			P	P	P	P	P	P	P (1)		
Machinery sales				S							Unclear what this is. Household appliances are covered under electrical and household appliance stores. There is also a separate business machine sales category. Cover under “Office and business services”.
Machinery sales, with no repair or servicing, provided the storage and display of machinery, except of household appliances and office machines, shall be restricted to floor samples;							P	P			
Mail order houses				S						P	Combine under warehouse and distribution
Mansions							S				Delete
Market , open air					P						Add farmers’ market to description. Make subject to standards.
Massage parlors				S							

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Meat Market									P (1)		Combine with “Food stores and meat markets”
Medical supply					P						Unclear, delete Other listings include Pharmacy, health services, Laboratories, medical and dental, offices medical, Orthopedic and medical appliance stores, and drugstores.
Medical and dental clinics			P	P	P					P	Delete. Cover under Office – medical?
Meeting halls			P	P	P		P	P			Combine with “clubs, lodges and meeting halls”.
Millinery shops			P	P	P	P	P	P	P (1)		Make part of generic clothing. Hat repair is listed separately
Model homes and garage displays				S							Delete.
Motels			S	S	S		S				Combine with hotels.
Motor vehicle sales				P	P						See grouping of all auto uses below.
Motor vehicle sales (in enclosed building)			S								
Motor Vehicle repair and maintenance					P						
Motor Vehicle rental					P						
Motor Vehicle sales and service					P						
Museum									P		Combine with art gallery
Musical instruments manufacture;										P	
Musical instruments sales and repair			P	P	P	P	P	P	P (1)		Add to B1.
Nautical shops, retail trade						P	P	P	P (1)		
Newspaper distribution agencies for home delivery and retail trade			P	P	P						Covered under general Office – business.
Nursing care facility					P						Undefined. Combine with institutions for the care of the aged.
Office – Government					P	P	S		P		Permit in all districts
Office - Professional					P				P		Combine with Offices, business and professional
Office - Medical					P						Combine with medical and dental clinics, include in PM2 (opticians already permitted)
Office machine sales and servicing			P	P	P		P	P	P (1)		Combine with Business services
Offices, business and professional			P	P		P	P	P	P		

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Offices, business and professional, but only above the ground floor		P									Retain this limitation in the B1
Offices, nonprofit educational, cultural or civic	P	P	P	P	P				P		Necessary to distinguish between this and offices, business and professional only in B1. Business and professional offices are widely permitted. No difference in impact between this and nonprofit offices.
Office supply stores			P	P	P	P	P	P	P (1) (2)		
Optical sales and service businesses						P					Treat under retail goods
Optician					P				P (1) (2)		Combine with medical
Optician sales, retail			P	P	P		P	P			Treat under retail goods, include in PM2
Orthopedic and medical appliance stores			P	P	P	P	P	P			Treat under retail goods, include in PM2
Orthopedic and medical appliance manufacture;										P	
Other manufacturing, processing, storage or commercial uses determined by the planning commission to be of the same general character as the uses permitted in Section 21.42.020, and found not to be obnoxious, unhealthful etc.										S	This type of language to be included for all districts through generic categories.
Other uses not specifically enumerated in this section or in Section 21.30.020, but determined by the planning and zoning director to be similar in character and use to one or more of the uses enumerated in this section and compatible with the purposes of the Expanded Convenience Shopping District. <i>Similar language for BR, PM2</i>		P				P			P (1)		
Package mailing services, including fax and telegraph facilities						P					Cover under generic office supply store. But add mailing service as a new use (Post Haste)
Paint and wallpaper stores			P	P	P				P (1)		Combine with Hardware and paint and wallpaper stores
Paper products manufacture;										S	Light manufacturing
Parking lots, open and other than accessory, only for the storage of private passenger automobiles <i>in the B2 the word "only" is added</i>	S		S	S							Combine

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Parking, off-street, as a principal use <i>C2= Parking lots and garages, II= Parking lots, other than accessory</i>					S		S			P	
Parks (<i>II= Parks and playgrounds</i>)	S	S	S	S						S	Government
Park, public					P						
Pawnshops				P	P						Delete, cover under generic retail category
Pet shops				P	P	P	P	P	P (1)		
Pharmacy									P (1)		Delete. Cover under drugstore
Phonograph record and sheet music stores <i>BCE = "record stores"</i>			P	P	P	P	P	P	P (1)		
Photocopying and reproduction services;						P					Combine with Blueprinting and photostating establishments
Photography studios						P					Combine
Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises		P	P	P	P		P	P	P (1) (2)		
Physical culture and health services and reducing salons <i>BCE = health club, BR, PM2 = Physical therapy and health services, gymnasiums and reducing salons</i>			P	P	P	P			P (1) (2)		Combine these.
Picture framing					P						Combine under arts and crafts
Picture framing when conducted for retail trade on the premises only		P	P	P	P		P	P	P (1)		
Planned developments, business or residential	S	S	S	S							Planned developments to be permitted subject to Planning Commission approval.
Planned developments, industrial;										S	
Plumbing and heating sales shops							P	P			Combine
Plumbing and heating sales and service shops						P					
Plumbing showrooms and shops				P	P						
Post offices			P	P	P	P	P	P	P (1) (2)		

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Printing and publishing establishments				S						P	Delete in B3 unless one exists. Blueprinting and photostating are permitted. A true print establishment is more of an industrial use.
Pottery and ceramics manufacture;										P	
Produce markets						P	P	P			Combine with market open air (permitted in BCE)
Production and repair, restricted, being limited to the following: art needlework; clothing, custom manufacturing and alterations, only for retail; jewelry from precious metals; watches; dentures; and optical lenses							P	P			Confusing categories. Cover under generics..
Production and repair, restricted, being limited to the following: art needlework; custom manufacturing and alterations of clothing, only for retail total size not to exceed two thousand gross square feet	P	P	P	P	P						
Public recreation facilities					P						Government
Radio and television sales, service, and repair shops			P	P	P		P	P	P (1)		Delete. Cover d under “Electrical and household appliance stores, including radio and television sales”
Radio and television stations and towers;										P	New “telecommunications” regulations to be proposed.
Recreation buildings or community centers;										S	Government
Religious institutions						P					Use this as the generic. Generally the regulations cite “Churches, chapels, temples, synagogues”.
Repair and service, public					P						Delete.
Research and development business, provided that the use involves no danger of fire or explosion, offensive noise, vibrations, smoke, dust, odor, glare, heat or other objectionable influences						P					Unusual category. Make special exception - ; Board of Appeals to determine risk.
Restaurants, class I, fast food			S	S	S						Restaurant category to be given detailed review.
Restaurant Class II, standard					P						
Restaurant Class II, standard, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P		

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Restaurant, class III, miscellaneous, except food service marts: a. Delicatessen; b. Food service mart. <i>Food service marts is a special exception. Unclear why listed here.</i>					P						
Restaurants, Class II, standard – other than as permitted under Section 21.30.020(B)(1) <i>reference is incorrect: presumably 025 not 020</i>	S	S									
Restaurant, Class II, standard -- other than as permitted under Section 21.34.025; bar, dancing and live entertainment may be permitted <i>21.34.25 has no specific reference, except to 21.30.25 (B1 restaurants)</i>			S	S							
Delicatessen									P (1)		
Food service mart					S						
Restaurants, Class III, delicatessen <i>unclear in some districts if S or P (21.30.025)</i>	S P	S P	S P	S P		P	S				
Restaurants, Class III, food service mart <i>unclear in some districts if S or P (21.30.025)</i>	S P	S P	S P	S P		P	S				
Restaurant Class II, standard -- alcohol with the service of food, bar, dancing, live entertainment, outdoor dining may be permitted							S				
Restaurants Class II standard, including those serving alcoholic beverages with food, offering outdoor dining, or having accessory bars						P					
Restaurants, class II standards, fifty seats or less, alcohol with the service of food, hours of operation limited to midnight seven days a week. Outdoor dining permitted. No bar or dancing. Live entertainment restricted (21.30.025)	P	P	P	P	P						
Restaurant Class III, miscellaneous							S				
Restaurant Class III, miscellaneous, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P		

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Riding academies and commercial stables				S							Delete
Rope, cord and twine manufacture;										P	Make part of generic.
School, private					P						Confusing categories. Combine and reassess. Distinction for cooking schools no longer necessary. Language “when not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences” not specific to schools, applies to all uses. Consolidating most of these schools seems to be the best approach.
School, public					P				P		
Schools, commercial or trade, except cooking schools				P	P						
Schools, cooking				S							
Schools, music, dance, business and trade, when not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences						P	P	P			
Schools, music and dance, when accessory to the principal use of property for the retail sale of musical instruments or sheet music			P	P	P						
Schools, music, dance and business, except cooking schools				P	P						
Schools, music, dance, business, etc., except where the use is permitted pursuant to Section 21.34.020(51) <i>reference to (51) is incorrect</i>			S	S							
Schools, trade										P	
Secondhand stores and rummage shops				P	P						
Sewage treatment plants, municipal;										S	Delete. Cover under govt. Plant is in WMI
Sewing machine sales and service, household appliances only			P	P	P		P	P			Combine with machinery sales
Sewing machine sales, rental and service stores						P					
Shoe, clothing and hat repair stores	P	P	P	P	P				P (1)		Combine. Include millinery
Shoe sales and repair					P	P					

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Shoe stores			P	P	P		P	P	P (1)		
Sidewalk cafes as regulated in Chapter 7.42.						P					Refer to Chapter 7.42 as a cross-reference. There are citations in 7.42 to non-existent sections in Title 21 e.g see 7.42.020.D. which refers to 21.070.C
Signs, temporary	P	P	P	P	P		P	P		P	Delete. Cover separately under signs.
Soap manufacture										S	
Sporting goods stores			P	P	P	P	P	P	P (1)		
Sporting goods manufacture										P	
Stadiums, auditoriums and arenas, open or enclosed				S	S					S	Cover under public recreation?
Supermarket					S						500 sf rule no longer applicable. Better to make this use subject to standards rather than a special exception.
Supermarkets, other than as permitted under Section 21.30.035(B)(1) <i>Reference incorrect, should be .025 not .035</i>	S	S	S	S							
Supermarkets, where not more than five hundred gross square feet of floor area may be devoted to preparation and storage of food items to be prepared on premises for immediate consumption. <i>This is Sec 21.30.025(B)(1)</i>	P		P	P					P (1)		
Tailor shops (<i>Dressmaking/tailoring in BCE</i>)		P	P	P	P	P	P	P	P (1)		Make part of a generic. E.g combine with “Shoe, clothing and hat repair stores”
Taverns and bars			S	S	S		S				
Taxidermists				P	P		P	P			Make part of crafts
Telegraph offices			P	P	P		P	P			Combine with “Package mailing services, including fax and telegraph facilities”. Cover under generic office supply store.
Temporary buildings for construction purposes, for a period not to exceed the duration of the construction;										P	Cover under generic temporary use category.
Theater					P						All categories not needed Delete Drive-in theater
Theaters, drive-in				S						S	
Theaters, indoor							S	S			

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Theaters, indoors, located in existing shopping centers subject to the following standards			P	P	P						
Theaters, indoors, except where the use is permitted pursuant to Section 21.34.025(B) (B2)			S	S							
Ticket agencies, amusement <i>BCE = ticket office</i>			P	P	P	P	P	P			Cover under Office, business and professional.
Tobacco shops			P	P	P	P	P	P	P (1)		
Toy shops			P	P	P	P	P	P	P (1)		Add to B1, B1A
Trailer sales and rental, for use with private passenger motor vehicles				P	P						See grouping of all auto uses below. This would be an accessory use?
Travel bureaus and transportation ticket offices			P	P	P	P	P	P	P (1) (2)		3,000 sf limit unnecessary. Make part of “Service agencies” generic.
Travel bureaus, not to exceed three thousand square feet	P	P	P	P	P						
Undertaking establishments and funeral parlors			P	P	P						
Variety stores						P	P	P	P (1)		Cover under generic retail goods store
Veterinarian office					P						Animal hospital is special exception in B3. Combine
Video sales and rental					P				P (1)		Combine with bookstore under “Specialty convenience retail store” generic
Visitor center					P						Cover under government
Wallpaper stores, including interior decorating services		P									Combine with “Hardware and paint and wallpaper stores”
Warehousing and wholesale establishments, and storage other than accessory to permitted retail uses				S							Combine. Unclear what “and wholesale establishments” mean – suggest delete. Delete “Storage other than accessory to permitted retail uses” as a special exception.
Warehousing, storage and distribution facilities;					P					P	
Wearing apparel shops		P	P	P	P	P	P	P	P (1)		Retail goods
Woodworking and wood products;										S	Does not need to be a special exception. Interpretation 2-27-92 that this was a “large scale use” only. Cabinet making considered permitted under “Contractors offices/shops”
Yarn and needlework shops		P									Make part of craft generic.

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Public utility and service uses										P	Make this a generic. City requires special exception approval from the Board of Appeals for these uses.
Electrical substations	S	S	S	S	S						
Fire stations	S	S	S	S	P	P	S				
Gas regulator stations	S	S	S	S							
Police stations	S	S	S	S	P	P	S				
Post offices	S	S	S	S	P						
Public transportation depots	S	S	S	S							
Transit center bus terminal--commercial					S						
Telephone exchanges, telephone transmission equipment buildings and microwave relay towers	S	S	S	S							Telecommunication regulations to be developed.
Telephone equipment or transmission facility					P						
Waterworks, reservoirs, pumping stations and filtration plants	S	S	S	S							
Auto uses											
Auto parts sales					P						Combine
Automobile accessory stores							P	P			
Automobile laundries			S	S	S						Use term “washing” versus laundry.
Automobile service stations			S	S	S						
Garages for storage, repair and servicing of motor vehicles			S							P	Combine.
Garages for storage, repair and servicing of motor vehicles, including body repair, painting, and engine rebuilding				P	P						
Motor vehicle sales				P	P						
Motor vehicle sales (in enclosed building)			S								
Motor Vehicle repair and maintenance					P						
Motor Vehicle rental					P						.
Motor Vehicle sales and service					P						

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Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Trailer sales and rental, for use with private passenger motor vehicles				P	P						Combine with “motor vehicle sales”
<i>Food and restaurant uses</i>											
Coffee shops						P	p				Address in restaurant update.
Ice cream stores						P			P		Combine?
Ice cream stores, where the gross square footage of the establishment does not exceed two thousand square feet. The service of non-ice cream food items for consumption off the premises, other than beverages, is prohibited	P	P	P	P	P		P				
Restaurants, class I, fast food			S	S	S						Restaurant category to be given detailed review.
Restaurant Class II, standard					P						
Restaurant Class II, standard, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P		
Restaurant, class III, miscellaneous, except food service marts: a. Delicatessen; c. Food service mart. <i>Food service marts is a special exception. Unclear why listed here.</i>					P						
Restaurants, Class II, standard – other than as permitted under Section 21.30.020(B)(1) <i>reference is incorrect: presumably 025 not 020</i>	S	S									
Restaurant, Class II, standard -- other than as permitted under Section 21.34.025; bar, dancing and live entertainment may be permitted <i>21.34.25 has no specific reference, except to 21.30.25 (B1 restaurants)</i>			S	S							
Delicatessen									P (1)		
Food service mart					S						
Restaurants, Class III, delicatessen <i>unclear in some districts if S or P (21.30.025)</i>	S P	S P	S P	S P		P	S				

City of Annapolis Permitted Use Table based on Current Commercial and Industrial Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Use	B1	B1A	B2	B3 & CDO	BCE	BR	C2	C2A	PM2	II	Comments for treatment in updated regulations
Restaurants, Class III, food service <i>unclear in some districts if S or P</i> (21.30.025)	S P	S P	S P	S P		P	S				
Restaurant Class II, standard -- alcohol with the service of food, bar, dancing, live entertainment, outdoor dining may be permitted							S				
Restaurants Class II standard, including those serving alcoholic beverages with food, offering outdoor dining, or having accessory bars						P					
Restaurants, class II standards, fifty seats or less, alcohol with the service of food, hours of operation limited to midnight seven days a week. Outdoor dining permitted. No bar or dancing. Live entertainment restricted (21.30.025)	P	P	P	P	P						
Restaurant Class III, miscellaneous							S				
Restaurant Class III, miscellaneous, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P		
Sidewalk cafes as regulated in Chapter 7.42.						P					Refer to Chapter 7.42 as a cross-reference. There are citations in 7.42 to non-existent sections in Title 21 e.g see 7.42.020.D. which refers to 21.070.C

(1) In districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2

(2) Incidental uses are permitted in entire district (even adjoining property zoned R-1, R-1-A, R-1-B or R-2), but subject to standards in 21.59.030.B

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Accessory uses, including group day care centers servicing a principal religious institution		S			
Accessory uses and buildings incidental to and on the same zoning lot as the principal use, including signs		P		P	
Accessory uses to uses permitted in this section			P		
Accessory uses, incidental to and located on the same zoning lot as a principal use listed in this section. (i.e. a special exception)			S		
Antique shops			P	P	
Artist studios				P	
Art and school supply stores			P	P	
Art shops and galleries			P		
Banks and financial institutions without drive in facilities			P		
Bake shops			P		
Bakery			P*		
Barbershops and beauty parlors			P	P	
Bicycle sales, rental and service stores			P	P	
Blueprinting and Photostatting establishments			P		
Book and stationery stores			P		
Buildings in excess of forty-six feet, but less than fifty-five feet in height.			P*		
Buildings in excess of forty-six feet, but less than sixty-five feet in height, other than as permitted subject to standards under Section 21.94.030G			S		
Business machine sales, rental and service establishments			P		
Cab stands including dispatch offices and related parking facilities	Add to BCE. This is currently the only zone where this use is permitted.		S		
Camera and photographic supply stores			P		
Candy shops, if candy is made on the premises			P*		
Candy shops, if candy is not made on the premises			P		
Carpet and rug stores, retail sales only			P		
Catering establishments			P*		
China and glassware stores			P		
Civic, non-profit organizations	Combine with Offices, non-profit	P		P	P
Clubs and lodges; if food, there are on-premises food or beverage preparation facilities			P*		

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Clubs and lodges, provided that there are no on-premises food or beverage preparation facilities			P		
Coffee shops			P*		
Coin and philatelic stores			P		
Computer and communications products, sales, rental and service businesses			P		
Conference facilities			S		
Commercial retail uses on lots less than five thousand four hundred feet in size	Apply standards to specific reclassified commercial uses.			P*	
Convenience stores			P*		
Custom dressmaking			P	P	
Dental laboratories			P		
Department stores			P		
Drug stores			P		
Dry cleaning and laundry receiving stations processing to be done elsewhere				P	
Dry cleaning establishments including package retail dry cleaning plants and/or pickup			P		
Dry goods stores			P		
Dwelling, duplexes			P*		
Dwelling, multi-family		S	P*	S	S
Dwelling, multi-family, containing twelve or fewer units when provided above the first floor in conjunction with office/commercial uses	Simplify to “multi-family”			P*	
Dwelling, single-family and two-family attached or detached as provided for in the R3 district	Unclear what the reference to R3 means.			P	
Dwelling, single-family attached		P			
Dwelling, single-family detached		P			P
Dwelling, townhouses	Townhouses are single family attached dwellings		P*		
Dwelling, two-family attached		P			
Dwellings, two-family detached		P			P
Dwelling units, (not including townhouses), multifamily dwelling units above the ground floor of nonresidential uses and rooming units above the ground floor of non-residential uses			P		
Electrical and household appliance stores, including radio and television sales, rentals and service			P		
Employment agencies			P		

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Fabric, sheet and towel stores	Delete. This is a retail goods use and too intense for PM. Could be permitted, however, as an arts and crafts store which also includes gift shop			P	
Florist shops	Specialty convenience		P	P	
Food service mart				P*	
Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use			P		
Garden supply, tool and seed stores			P		
Gasoline service stations			S		
Gift shops	Include in Arts and crafts store generic.		P	P	
Group day care centers		S		S	S
Group homes		S		S	S
Hardware, paint and wallpaper stores			P		
Hobby shops, for retail sale of items to be assembled or used away			P		
Hotels with up to forty rooms, including restaurants and conference room facilities.			P*		
Hotels with more than forty rooms			S		
Ice cream stores			P*		
Inns		S			S
Indoor theaters			P*		
Interior decorating services				P	
Interior decorating shops, including upholstering and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations and secondary to the principal use			P		
Jewelry stores, including watch repair			P		
Launderettes and hand laundries			P		
Leather goods and luggage stores			P		
Liquor stores			S		
Locksmith shops			P		
Medical appliance stores				P	
Meeting halls			P		

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Millinery shops			P		
Musical instruments sales, rental and service stores			P		
Nautical shops, retail trade			P		
Office supply stores			P		
Offices, business or professional, on lots of less than five thousand four hundred square feet		S			
Offices, business or professional, governmental or commercial, on lots less than five thousand four hundred square feet in size				P*	
Offices, governmental, business or professional				P	
Offices, governmental, business or professional, on lots of five thousand four hundred square feet or more		P			
Offices, business or professional			P		P
Offices, professional, business, governmental and nonprofit			P		
Optical sales and service businesses			P		
Optician	Include under office, medical			P	
Orthopedic and medical appliances sales, rental and service stores			P		
Other uses not specifically enumerated in this section or in Section 21.94.030 or in Section 21.94.040, which are determined by the director of planning and zoning to be substantially similar in character and use to one or more of the uses enumerated in this section and compatible with the purposes of the MX district. (similar language for PM)	Delete: covered under “interpretations” authority.		P	P	
Parking lots		S			
Parking garages		S		S	
Parking garages in excess of three levels of above-grade parking			S		
Parking garages, underground public/private			P		
Parking lots, open to the sky				P*	
Parking lots, temporary surface parking not to exceed 6 months duration			P		
Parking lots other than as allowed under Section 21.94.020UU (1. Underground public and private parking garages. 2. Temporary surface parking lots, not to exceed six months duration.)			P*		
Garages not to exceed three levels of above-grade parking			P*		
Pet shops			P		
Phonograph record and sheet music stores			P		
Photocopying and reproduction services			P		
Photography studios			P		

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Physical therapy and health services, gymnasium and reducing salons			P		
Picture framing shops				P	
Pharmacies	Cover under personal care establishments	S			
Planned developments	This means residential and business. Combine with next. Planned developments to be permitted subject to Planning Commission approval.	S			
Planned developments, residential and business			S		
Plumbing and heating sales and service shops			P		
Post offices			P		
Produce markets			P		
Radio and television service, sales and repair shops					
Recreational buildings and community centers (noncommercial)		P		P	
Recreational buildings and community centers					S
Religious institutions		P	P	P	
Research and development business, provided that there is no significant assemblage of goods or products			P		
Restaurants, class II standard, including those serving alcoholic beverages with food, offering outdoor dining, or having accessory bars			P*		
Restaurants, class II standard, with dancing and live entertainment			S		
Restaurants, class II standard, Fifty seats or less, alcohol with service of food, hours of operation limited to midnight; outdoor dining permitted. No bar dancing and live entertainment restricted to non-amplified acoustical music				P*	
Restaurant, class II standard, other than permitted under Section 21.60.030(A) i.e. 50 seats or less, no bar etc. (Incorrect reference – should be 21.61.)				S	
Restaurants, class III				P*	
Restaurants, class III delicatessens			P	P*	
Restaurants, class III food service marts			P*	P*	
Restaurants, fast food without drive-up service or facilities			S		

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Schools, (including music, dance, business schools) and trade schools provided that the trade school involves no danger of fire or explosion, offensive noise, vibrations, smoke, dust, odor, glare, heat, or other objectionable influences			P		
Sewing machine sales, rental and service stores			P		
Shoe, clothing, hat repair stores and shops	Delete; retail goods. Could be permitted under arts and crafts, see above under fabric store			P	
Shoe sales and service stores			P		
Sidewalk cafes			P*		
Signs, temporary		P			
Social and fraternal organizations, but not including businesses sponsored by these organizations except businesses accessory and incidental to and located in the same building as the organizations proper		S		S	S
Sporting good stores			P		
Supermarkets			P*		
Tailor shops			P	P	
Telegraph offices			P		
Ticket agencies			P		
Tobacco shops			P		
Toy stores			P		
Travel agencies			P	P	
Undertaking establishments and funeral parlors		S			
Uses, and combinations of uses, located on zoning lots of forty thousand square feet or more			S		
Variety stores			P		
Wearing apparel shops			P		
Wallpaper stores	Delete, covered under Specialty convenience			P	
Yarn and needlework shops	Delete, covered under Arts and crafts store generic.			P	
<i>Educational, Social & Cultural Institutions</i>					
Art galleries		P		P	
Elementary schools		P			
Junior high schools		P			

City of Annapolis Permitted Use Table based on Current Office and Mixed Use Zoning Districts

P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

Treatment of uses in proposed use table follows principles established in residential and commercial tables; comments column has few entries

	Comments	P	MX	PM	C2P
Museums		P		P	
Senior high schools		P			
Public libraries		P		P	
Public schools				P	
<i>Governmental Offices and Services</i>					
Armories		S			
Fire and police stations		S	P	S	
Governmental offices and services as follows: city, county, state and federal office buildings, courts, armories, mansions and fire and police stations			P		
Offices, governmental, business or professional				P	
Post offices					
<i>Utility and service uses</i>		S		S	
<i>Health and Medical Institutions</i>					
Convalescent, nursing and rest homes		S			S
Hospitals		S			
Institutions for the care of the aged or of children		S			S

*= Subject to standards.

City of Annapolis Permitted Use Table based on Current Waterfront Maritime Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

		WMC	WMM	WMI	WME	Comments for treatment in updated regulations
A. Maritime uses						
1. In-water boat storage:	a. Docks, slips, piers and other facilities at which boats are berthed, only (<i>no “only” in WMI & WME</i>) in conjunction with other maritime uses	P	P	P	P	Maintain wording difference: not a typo.
	b. Yacht and sailing clubs, and member services	P	P	P	P	
	c. Sailing schools	P	P	P	P	
2. On-land boat storage:	Open areas, paved or unpaved, <i>and (“existing” in WMM & WME)</i> structures providing for on-land boat and marine equipment storage and display	P	P	P	P	Maintain wording difference: not a typo. Add ordinance effective date (49-87) August 24, 1987 to all ordinance references.
3. Boat repair and maintenance:	a. Vessel repair and maintenance	P	P	P	P	
	b. Maritime engineer/mechanical repair	P	P	P	P	
	c. Boat, yacht and watercraft haul-out facilities and maintenance operations	P	P	P	P	
	d. Fuel storage and refueling facilities for marine craft	P	P	P	P	
	e. Accessory on-land material storage	P	P	P	P	
4. Marine fabrication:	a. Sail and canvas accessory manufacture	P	P	P	P	
	b. Spar and rigging construction	P	P	P	P	
	c. Maritime carpentry	P	P	P	P	
	d. Construction and laying up of marine molds	P	P	P	P	
	e. Metal casting for marine use <i>“metal casting” only in WME</i>	P	P	P	P	Typo - metal casting only for marine use.
	f. Marine industrial welding and fabrication	P	P	P	P	
	g. Boat manufacture	P	P	P	P	
5. Maritime services: Functions necessary to serve in-water and on-land boat storage and working boatyards, including, but not limited to:	a. Boat dealers, brokers and manufacturers’ representatives	P	P	P	P	
	b. Yacht (<i>“Boat” in WMM & WMI & WME</i>) rentals and charters services (<i>no “services” in WME, WMI</i>),	P	P	P	P	Refer to “boat” rather than “yacht”
	c. Marine parts, supplies, accessory distributors	P	P	P	P	
	d. Marine transportation and water taxis	P	P	P	P	
	e. Marine documentation	P	P	P	P	
	f. Boat show management and promotion	P	P	P	P	
	g. Nautical component servicing	P	P	P	P	
	h. Yacht designers	P	P	P	P	
	i. Marine surveyors	P	P	P	P	
6. Maritime retail: Display, sale and storage of marine parts, supplies, accessories, and provision of other goods including, but not limited to:	a. Marine hardware	P	P	P ¹	P ^{1,2}	Add maritime retail accessory use from other uses below.
	b. Fishing tackle	P	P	P ¹	P ^{1,2}	
	c. Marine chandleries	P	P	P ¹	P ^{1,2}	
	d. Yacht furniture	P	P	P ¹	P ^{1,2}	
	e. Marine maps, magazines, catalogues and other publications				P ^{1,2}	
7. General maritime: General office and research functions contributing to maritime activities including, but not limited to:	a. Marine salvage, testing, research and environmental services (<i>no “research” in WME</i>)	P	P		P ^{1,2}	Maintain wording difference: not a typo

City of Annapolis Permitted Use Table based on Current Waterfront Maritime Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

		WMC	WMM	WMI	WME	Comments for treatment in updated regulations
	b. Maritime associations	P	P		P ^{1,2}	
	c. Oceanographic laboratories and experimental facilities	P	P		P ^{1,2}	
	d. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices	P	P		P ^{1,2}	
	e. Tugboat, vessel towing services, fireboat, pilotboat, harbormaster and similar services	P	P		P ^{1,2}	
	f. Specialized professional services to the maritime industry	P	P		P ^{1,2}	
	g. Marine transport operations, including shipping offices	P	P		P ^{1,2}	
	h. Marine photography, printmaking and chart-making	P	P		P ^{1,2}	
	i. Yacht and sailing club offices	P	P		P ^{1,2}	
	j. Yacht finance	P	P		P ^{1,2}	
	k. Maritime service organizations		P		P ¹	
	l. Boat show management				P ²	
8. Maritime institutions:	a. Marine educational facilities	P			P ²	
	b. Marine museums and aquariums	P			P ²	
	c. Maritime service organizations	P	P			
9. Seafood industrial:	Landing, distribution, processing, brokerage, wholesale and retail sales of fish and shellfish		P	P	P	
B. Other uses:						
	Public parks, (“and recreation facilities” WMI) (“Parks,” WME)	P		P	P	List under governmental uses
	Temporary festivals in conjunction with maritime uses not to exceed thirty days,	P	P	P	P	
	Accessory uses,	P	P			Accessory uses in general are not specifically listed in WMI and WME
	Other uses not specifically enumerated in this section or in Section 21.54.030, but determined by the planning and zoning director to be similar in character and use to one or more of the uses enumerated in this section and compatible with the purposes of the WMC district. <i>Similar language in WMM, WMI and WME.</i>	P	P	P	P	Replace with general language in intro to use section.
	General retail, non-maritime. structures in existence as of the date of adoption of this amendment, not to exceed thirty percent of the total gross floor area of development on the lot, shall be allowed, subject to administrative review	S				Combine these as Retail sales of non maritime-related goods, move the standards to the use standards section.
	General retail in structures constructed after the date of adoption of this amendment, not to exceed twenty-five percent of the total gross floor area of development on the lot, shall be subject to special exception review.	S				
	Multifamily dwellings in structures of five units or less lawfully existing on the date of the ordinance from which this section derives shall be deemed to be conforming if duly licensed in accordance with city codes and with an occupancy permit,				P	Move to list of conformities
	Single-family residential attached and detached dwellings, lawfully existing on the date of this amendment shall be deemed to be conforming and may be expanded for residential use if they otherwise meet the requirements of the R2 single-family residential district. However, under no circumstances shall unlawful uses occupying such residences on the date of the ordinance from which this section derives be deemed to be conforming, . <i>Similar language in WMI, WME</i>		P	P	P	Move to list of conformities. In WME replace reference to R2 to new mapped Eastport district.

City of Annapolis Permitted Use Table based on Current Waterfront Maritime Zoning Districts
P - Permitted Uses (includes uses subjects to standards); S – Special Exception; A- Accessory Use; Blank – Not Permitted

		WMC	WMM	WMI	WME	Comments for treatment in updated regulations
Planned developments. Use exceptions not permitted			P	P	P	Planned developments to be permitted subject to Planning Commission approval.
Restaurants, class II, standard, provided that the use is provided in combination with a permitted principal use, and that the use does not occupy more than 30 percent of the total gross floor area on the lot.		S				
Retail establishments	Only in combination with: A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift, Seafood processing of nine thousand square feet, On-land boat storage of at least twenty-five thousand square feet, or Yacht and sailing clubs providing in-water and on-land boat storage to their members. Standards vary if buildings were existing or not at time of ordinance adoption.		S*			Move the conditions to the use standards.
Professional offices			S*			
Restaurants Class II, standard			S*			
Restaurants Class II, standard, only in combination with a seafood processing of nine thousand square feet, or a working boatyard of at least twenty thousand square feet and a thirty-ton boat lift					S*	Intent to exclude last two categories above in WMM?
Restaurants existing prior to the date of the ordinance from which this section derives are permitted provided that they comply with all of the requirements of Section 21.55.040(A) plus additional language (see 21.55.040)			S			Special exception? Move to list of conformities
Restaurants, class III miscellaneous				A*	A*	
Parking structures as accessory to permitted maritime uses on a separate zoning lot,			S*			
Sewerage pumping stations				P	P	List under governmental uses, utilities
Transient boater services such as laundry, pool, recreation facilities and sale of convenience items				A*		
Maritime retail uses “in association with a principal use, when located on the same lot” in WME				A	A	Move to A. Maritime uses section of the table. Delete reference to “in association with a principal use” since this is what an accessory use is. Add a 25 percent cap.

* = Subject to standards

¹ This use is permitted only on lots without access to the bulkhead line as of the date of the ordinance from which this section derives. *Delete reference to bulkhead line; term superseded in 1983. Refer instead to waterfront frontage.*

² This use is permitted in buildings located within one hundred feet of the waterway, provided, however, that the use does not exceed twenty-five percent of the gross floor area of the lot.

DRAFT

Proposed Table of Uses - Residential Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards ADD REF; A = Accessory Use; Blank = Not Permitted

Use	R1	R1A	R1B	R2	R2- Eastpo rt (RC)	R3	R3-West St (NC)	R3- Preside nts Hill (RC-2)	R4	R4-Clay St. (RR)	C1	C1A
Accessory buildings and uses, including signs	A	A	A	A	A	A	A	A	A	A	A	A
Apartment hotels									P-Std	P-Std		
Bed and breakfast homes					P-Std		P-Std	P-Std			P-Std	P-Std
Bed and breakfast home in a structure constructed or erected after December 14, 1998 on a vacant lot of record					S-Std							
Cemeteries	P	P	P	P	P							
Colleges, private	S	S	S	S	S	S	S	S	S	S	P	
Day care, family	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std		
Day care centers, group, in conjunction with public school facilities	A-Std			A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std		
Day care centers, group, including day care centers accessory to a principal religious institution	S	S	S	S	S	S	S	S	S	S	S	
Driveways, walkways, parking or access for uses located in an adjacent nonresidential district	S	S	S	S	S	S	S	S	S	S		
Dwellings, multi-family						S	S	S	S	S	S	
Dwellings, multi-family containing six or fewer dwelling units							P-Std					
Dwellings, single family attached						S	S	S	S	S	S	
Dwellings, single-family detached	P	P	P	P	P	P	P	P	P	P	P	P
Dwellings, two-family attached						S	S	S	S	S	S	
Dwellings, two-family detached						P	P	P	P	P	S	S
Garages and carports	A	A	A	A	A	A	A	A	A	A	A	A
Golf courses	P											
<i>Governmental Uses</i>												
Public schools and colleges	P	P	P	P	P	P	P	P	P	P	P	P
Other government and government-related structures, facilities and uses.	S	S	S	S	S	S	S	S	S	S	S	S
Greenhouses and conservatories, private (noncommercial)	A	A	A	A	A	A	A	A	A	A	A	A
Group homes											S	
Home occupations	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std
Hospitals and sanitariums	S	S	S	S	S	S	S	S	S	S	S	
Inns	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S	
Institutions for the care or treatment of alcoholics, drug addicts and the mentally ill	S	S	S	S	S	S	S	S	S	S		
Institutions for the care of the aged	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	

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Proposed Table of Uses - Residential Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Use	R1	R1A	R1B	R2	R2-Eastport (RC)	R3	R3-West St (NC)	R3-Presidents Hill (RC-2)	R4	R4-Clay St. (RR)	C1	C1A
Living quarters, detached, for persons employed on the premises	A-Std	A-Std		A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std
Mooring slip or dock, private	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A-Std	A
Museums and art galleries, including historic buildings and shrines for patriotic, cultural and educational purposes	P	S	S	P	P	P	P	P	P	P	P	P
Office or studio of a professional person											S-Std	
Philanthropic and charitable institutions, civic nonprofit organizations, and social and fraternal organizations	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	S-Std	
Planned developments, residential	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std		
<i>Radio and television stations and towers, transmitting and receiving New regulations to be developed</i>												
Recreational and social clubs, noncommercial	S	S	S	S	S	S	S	S	S	S		
Religious institutions, including churches, chapels, mosques, temples, and synagogues.	P	S	S	P	P	P	P	P	P	P	P	P
Rest homes and nursing homes	S	S	S	S	S	S	S	S	S	S	S	
Schools, private, elementary, middle, or high	S	S	S	S	S	S	S	S	S	S		
Schools, vocational	S	S	S	S	S	S	S	S	S	S		
Stables, private (noncommercial)	A	A	A	A	A	A	A	A	A	A		
Temporary uses	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std
Tool houses, sheds and other similar buildings for the storage of domestic supplies and equipment	A	A	A	A	A	A	A	A	A	A	A	A

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Proposed Table of Uses - Commercial and Industrial Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

Use	B1	B2	B3	B3-CDO	BCE	BR	C2	C2A	PM2	I1
Accessory buildings and uses, including signs	P	P	P	P	P	P	P	P	P	P
Adult book stores			S-Std	S-Std	S-Std					
Amusement establishments, indoor.			P	P	P					
Animal hospitals, including veterinarian offices			S	S	P					
Antique stores	P	P	P	P	P	P	P	P	P ¹	
Appliance stores including electrical and household appliances, and radio and television sales and repair		P	P	P	P	P	P	P	P ¹	
Arts and crafts stores	P	P	P	P	P	P	P	P	P ^{1,2}	
Arts or cultural centers					P					
Arts and crafts studios	P	P	P	P	P					
Auction rooms			P	P	P					
Bake shops	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	
Bakeries										P
Banks and financial institutions		P	P	P	P	P	P	P	P ^{1,2}	
Bicycle sales, rental and repair stores		P	P	P	P	P	P	P		
Boat showrooms			P	P	P					
Building materials sales and storage;			S	S	P					P
Cab stands including dispatch offices and related parking facilities					S					
Candy stores, where only candy prepackaged off the premises is sold	P	P	P	P	P	P	P			
Candy stores including candy making	S	S	S	S		P			P ¹	
Carpet and rug stores, retail sales only		P	P	P	P	P	P	P	P ¹	
Catering establishments, where no food, beverages and/or desserts are sold on the premises					P-Std					P-Std
Christmas tree and greens sales		P-Std	P-Std	P-Std	P-Std					P-Std
Clubs, lodges and meeting halls, with no on-premises food or beverage preparation facilities		P	P	P	P	P	P	P		
Clubs, lodges and meeting halls, with on-premises food or beverage preparation facilities		S	S	S		P-Std				
Contractors', architects' and engineers' offices, shops and yards			S	S						P
Convenience stores	P	P	P	P	S	P			P ¹ -Std	
Day care centers, child									P-Std	
Day care centers, group, servicing a principal religious institution		S								
Department stores		P	P	P	P		P			
Drive-through facilities associated with permitted or special exception uses		S	S	S	S	S		S	S	
Dry cleaning and laundry drop off and pick up stations	P	P	P	P	P		P	P		
Dry cleaning and laundry establishments		P	P	P	P				P ^{1,2}	P
Dwellings, multi-family							S		S	
Dwelling units, multi-family, above the ground floor of nonresidential uses	P	P	P	P	P	P	P	P		
Dwellings, single-family attached							S		S	
Dwellings, single-family detached	P						S		P	
Dwellings, two-family							S		P	

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Proposed Table of Uses - Commercial and Industrial Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

Use	B1	B2	B3	B3-CDO	BCE	BR	C2	C2A	PM2	I1
Dwellings for watchmen and their families, located on the premises where they are employed in that capacity;			P	P						P
Electronic and scientific precision instruments manufacturing;										P
Exterminating shops										P
Food manufacture, packaging and processing										P
Food stores	P	P	P	P	P		P		P ¹ -Std	
Furniture stores		P	P	P	P		P	P	P ¹	
Garden supply, tool and seed stores	P-Std	P	P	P	P	P	P	P	P ¹	
<i>Governmental Uses</i>										
Offices	P	P	P	P	P	P	P	P	P	P
Other government and government-related structures, facilities and uses	S	S	S	S	S	S	S	S	S	S
Public schools and colleges	P	P	P	P	P	P	P	P	P	P
Greenhouses and nurseries			P	P	P					P
Group homes	S	S	S	S			S			
Home improvement stores		P			P				P ¹	
Hotels		S	S	S	S		S			
Inns		S	S	S	S		S			
Institutions for the care of the aged					P-Std					
Kennels			S	S						
Laboratories, including medical, dental, research and testing			P	P	P	P			P ¹	P
Launderettes, automatic, self-service	P	P	P	P	P	P	P	P	P ¹	
Light manufacturing										P
Liquor store		P	P	P	S		P	P		
Mailing service establishments				P						P
Markets, open air, including farmers' markets and produce markets					P-Std	P-Std	P-Std	P-Std		
Massage parlors			S	S						
Millinery shops		P	P	P	P	P	P	P	P ¹	
Motels		S	S	S	S		S			
<i>Motor vehicle and automobile uses</i>										
Automobile parts and accessory stores					P		P	P		
Car wash		S	S	S	S					
Motor vehicle storage, repair and service facilities		S	P	P	P					P
Motor vehicle sales			P	P	P					
Motor vehicle rental					P					
Service stations, including fuel sales		S	S	S	S					
Museums and art galleries		P	P	P	P	P	P	P	P	
Nautical shops, retail trade						P	P	P	P ¹	
Non-residential uses over 25,000 square feet gross floor area					S					
Office and business service establishments		P	P	P	P	P	P	P	P ^{1,2}	
Offices, business and professional, and nonprofit, educational, cultural, or civic	P-Std	P	P	P	P	P	P	P	P	
Offices, medical		P	P	P	P				P ^{1,2}	P
Parking lots, other than accessory	S	S	S	S	S		S			P

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Proposed Table of Uses - Commercial and Industrial Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

Use	B1	B2	B3	B3-CDO	BCE	BR	C2	C2A	PM2	I1
Parking garages							S			
Personal care establishments	P	P	P	P	P	P	P	P	P ^{1,2} - Std	
Photocopying and reproduction services, including blueprinting						P				
Physical health facilities, including health clubs, gymnasiums, and weight control centers		P	P	P	P	P			P ^{1,2}	
Planned developments, business	P-Std	P-Std	P-Std	P-Std						
Planned developments, industrial										P
Planned developments, residential	P	P	P	P						
Printing and publishing establishments										P
<i>Radio and television stations and towers – new regulations to be developed</i>										P
Religious institutions, including churches, chapels, mosques, temples, and synagogues.		S	S	S	P	P			P	
Research and development businesses						S				
Retail goods stores		P	P	P	P	P	P	P	P ¹ -Std	
Schools, private, elementary, middle, or high					P					
Schools, commercial, trade, vocational, music, dance, or art		P	P	P	P	P	P	P		P
Specialty convenience retail goods stores	P	P	P	P	P	P	P	P	P ^{1,2} - Std	
Storage other than accessory to permitted uses			S	S						
Supermarkets	P-Std	P-Std	P-Std	P-Std	P-Std				P ¹	
Taverns and bars		S	S	S	S		S			
Temporary uses	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std
Theaters, indoor		S	S	S	P		S	S		
Theaters, indoor, located in shopping centers		P-Std	P-Std	P-Std	P					
Tobacco shops		P	P	P	P	P	P	P	P ¹	
Undertaking establishments and funeral parlors		P	P	P	P					
Veterinarian office					P					
Warehousing, storage and distribution facilities, including moving and storage establishments			S	S	P					P
<i>Telephone exchanges, telephone transmission equipment buildings and microwave relay towers new regulations to be developed</i>	S	S	S	S						
<i>Food and restaurant uses – These are to be reworked</i>										
Coffee shops						P	P			
Ice cream stores						P			P	
Ice cream stores, where the gross square footage of the establishment does not exceed two thousand square feet. The service of non-ice cream food items for consumption off the premises, other than beverages, is prohibited	P	P	P	P	P		P			
Restaurant Class II, standard -- alcohol with the service of food, bar, dancing, live entertainment, outdoor dining may be permitted							S			

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Proposed Table of Uses - Commercial and Industrial Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

Use	B1	B2	B3	B3-CDO	BCE	BR	C2	C2A	PM2	I1
Restaurants Class II standard, including those serving alcoholic beverages with food, offering outdoor dining, or having accessory bars						P				
Restaurants, class II standards, fifty seats or less, alcohol with the service of food, hours of operation limited to midnight seven days a week. Outdoor dining permitted. No bar or dancing. Live entertainment restricted (21.30.025)	P	P	P	P	P					
Restaurant Class III, miscellaneous							S			
Restaurant Class III, miscellaneous, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P	
Restaurants, class I, fast food		S	S	S	S					
Restaurant Class II, standard					P					
Restaurant Class II, standard, in districts that do not adjoin (along nonstreet frontage) property zoned R-1, R-1-A, R-1-B or R-2									P	
Restaurant, class III, miscellaneous, except food service marts: a. Delicatessen; b. Food service mart. <i>Food service marts is a special exception. Unclear why listed here.</i>					P					
Restaurants, Class II, standard -- other than as permitted under Section 21.30.020(B)(1) <i>reference is incorrect: presumably 025 not 020</i>	S									
Restaurant, Class II, standard -- other than as permitted under Section 21.34.025; bar, dancing and live entertainment may be permitted 21.34.25 has no specific reference, except to 21.30.25 (B1 restaurants)		S	S	S						
Delicatessen									P (1)	
Food service mart					S					
Restaurants, Class III, delicatessen <i>unclear in some districts if S or P (21.30.025)</i>	S P	S P	S P	S P		P	S			
Restaurants, Class III, food service mart <i>unclear in some districts if S or P (21.30.025)</i>	S P	S P	S P	S P		P	S			
Sidewalk cafes as regulated in Chapter 7.42.						P				

Notes:

Some of these provisions of general applicability may get moved to another part of the ordinance. If there are not many it will be better to keep them here since they are use-related.

- A. In the BCE district any non-residential use over 25,000 square feet gross floor area require special exception approval.
- B. In the B1 district business establishments are restricted to a maximum gross floor area of seven thousand square feet each, exclusive of floor area devoted to off-street parking and loading facilities.
- C. In the B1 district dwelling units in conjunction with business establishments are not permitted below the second floor of buildings, and business uses are not permitted on any floor above the ground floor, except in those buildings or structures where dwelling units are not established.
- D. Uses in the PM2 are subject to the following as indicated in the table:
 - ¹ This use is permitted as a principal use only in districts that do not adjoin (along non-street frontage) property zoned R1, R1A, R1B or R2.
 - ² This use is permitted as an incidental use in a structure that contains business, professional or governmental offices provided that gross

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Proposed Table of Uses - Commercial and Industrial Zoning Districts

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Important: see notes at end of table

floor area of all incidental uses does not exceed the amount of space devoted to the first floor of a multistory structure; except, that in no case shall it exceed 33 percent of the total gross floor area.

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Proposed Table of Uses – Office and Mixed Use Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards ADD REF; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

	P	MX	PM	C2P
Accessory structures and uses	A	A	A	A
Antique stores		P	P-Std	
Appliance stores including electrical and household appliances, and radio and television sales and repair		P		
Arts and crafts studios		P	P-Std	
Arts and crafts stores		P	P-Std	
Museums and art galleries		P		
Banks and financial institutions		P		
Bake shops		P-Std		
Cab stands including dispatch offices and related parking facilities		S		
Candy stores, where only candy prepackaged off the premises is sold		P		
Candy stores including candy making		P-Std		
Carpet and rug stores, retail sales only		P		
Catering establishments		P-Std		
Clubs, lodges and meeting halls, with no on-premises food or beverage preparation facilities	S	P	S	S
Clubs, lodges and meeting halls, with on-premises food or beverage preparation facilities		P-Std		
Conference facilities		S		
Convenience stores		P-Std		
Day care centers, group	S		S	S
Department stores		P		
Dry cleaning and laundry drop off and pick up stations			P	
Dry cleaning and laundry establishments		P		
Dwellings, multi-family	S	P-Std	S	S
Dwellings, multi-family, above the ground floor of nonresidential uses		P		
Dwellings, multi-family, containing 12 or fewer units			P-Std	
Dwellings, single-family attached	P	P-Std	P-Std	
Dwellings, single-family detached	P		P-Std	P
Dwellings, two-family attached	P		P-Std	
Dwellings, two-family detached			P-Std	P
Furniture stores		P		
Garden supply, tool and seed stores		P		
<i>Governmental Uses</i>				

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Proposed Table of Uses – Office and Mixed Use Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards ADD REF; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

	P	MX	PM	C2P
Offices	P	P	P	P
Other government and government-related structures, facilities and uses	S	S	S	S
Public schools and colleges	P		P	
Group homes	S		S	S
Hotels with up to forty rooms, including restaurants and conference room facilities.		P-Std		
Hotels with more than forty rooms		S		
Inns	S			S
Institutions for the care of the aged	S			S
Laboratories, including medical, dental, research and testing		P		
Launderettes, automatic, self service		P		
Liquor stores		S		
Markets, open air, including farmers' markets and produce markets		P-Std		
Medical appliance stores			P-Std	
Motor vehicle service stations, including fuel sales		S		
Museums and art galleries	P		P	
Nautical shops, retail trade		P		
Office and business service establishments		P		
Offices, business and professional, and nonprofit, educational, cultural, or civic	P-Std S-Std	P	P-Std	P
Offices, medical	P	P	P	P
Parking garages	S	P-Std, S-Std	S	
Parking lots, other than accessory	S	P-Std	P-Std	
Personal care establishments	S	P	P-Std	
Photocopying and reproduction services, including blueprinting		P		
Physical health facilities, including health clubs, gymnasiums, and weight control centers		P		
Planned developments, business and residential	P-Std	P-Std		
Religious institutions, including churches, chapels, mosques, temples and synagogues	P	P	P	
Research and development business, provided that there is no significant assemblage of goods or products		P		
Rest homes and nursing homes	S			S
Retail goods stores		P		
Schools, commercial, trade, vocational, music, dance, or art		P		

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Proposed Table of Uses – Office and Mixed Use Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

	P	MX	PM	C2P
Schools, private, elementary, middle, or high	P			
Specialty convenience retail store		P	P-Std	
Supermarkets		P-Std		
Temporary uses	P-Std	P-Std	P-Std	P-Std
Theaters, indoor		P-Std		
Tobacco shops		P		
Undertaking establishments and funeral parlors	S			
<i>Restaurants and food service uses TO BE REWORKED</i>				
Coffee shops		P-Std		
Food service mart			P-Std	
Ice cream stores		P-Std		
Restaurants, class II standard, including those serving alcoholic beverages with food, offering outdoor dining, or having accessory bars		P-Std		
Restaurants, class II standard, with dancing and live entertainment		S		
Restaurants, class II standard, Fifty seats or less, alcohol with service of food, hours of operation limited to midnight; outdoor dining permitted. No bar dancing and live entertainment restricted to non-amplified acoustical music			P-Std	
Restaurant, class II standard, other than permitted under Section 21.60.030(A) i.e. 50 seats or less, no bar etc. (Incorrect reference – should be 21.61.)			S	
Restaurants, class III			P-Std	
Restaurants, class III delicatessens		P	P-Std	
Restaurants, class III food service marts		P-Std	P-Std	
Restaurants, fast food without drive-up service or facilities		S		
Sidewalk cafes		P-Std		

Notes:

The following regulations apply to all uses in the MX District:

1. Buildings in excess of forty-six feet, but less than fifty-five feet in height are subject to the following:
 - a. Either twenty-five percent of the gross floor area shall be designed for retail uses, or residential uses, or a combination of retail and residential uses, alternatively, the entire ground level front facade shall be designed for retail uses, exclusive of: (i) not more than one driveway, which shall not be greater than thirty-three feet wide, required for access to parking; (ii) space required for a lobby and space required for access to upper floor uses. Retail use along the front facade shall have a minimum height of twelve feet and a minimum depth of twenty-five feet;
 - b. If surface parking is located on the zoning lot, it shall be located at the rear of the zoning lot and new structures shall be located

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Proposed Table of Uses – Office and Mixed Use Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

Important: see notes at end of table

at the front of the zoning lot. If surface parking is located adjacent to single-family residential use, dense plantings shall be installed and maintained on the zoning lot to provide an effective screen; and

- c. Any adverse impacts on critical lane levels of service at adjoining intersections shall be mitigated by the applicant.
2. Buildings in excess of forty-six feet, but less than sixty-five feet in height require special exception approval.
3. Uses and combinations of uses located on zoning lots of forty thousand square feet or more require special exception approval.

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Proposed Table of Uses – Waterfront Maritime Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

		WMC	WMM	WMI	WME
A. Maritime uses					
1. In-water boat storage:	a. Docks, slips, piers and other facilities at which boats are berthed, only in conjunction with other maritime uses	P	P		
	b. Docks, slips, piers and other facilities at which boats are berthed, in conjunction with other maritime uses		P	P	P
	c. Yacht and sailing clubs, and member services				
	d. Sailing schools	P	P	P	P
2. On-land boat storage:	a. Open areas, paved or unpaved, and structures providing for on-land boat and marine equipment storage and display	P		P	
	b. Open areas, paved or unpaved, and structures existing as of August 24, 1987 providing for on-land boat and marine equipment storage and display		P		P
3. Boat repair and maintenance:	a. Vessel repair and maintenance	P	P	P	P
	b. Maritime engineer/mechanical repair	P	P	P	P
	c. Boat, yacht and watercraft haul-out facilities and maintenance operations	P	P	P	P
	d. Fuel storage and refueling facilities for marine craft	P	P	P	P
	e. Accessory on-land material storage	P	P	P	P
4. Marine fabrication:	a. Sail and canvas accessory manufacture	P	P	P	P
	b. Spar and rigging construction	P	P	P	P
	c. Maritime carpentry	P	P	P	P
	d. Construction and laying up of marine molds	P	P	P	P
	e. Metal casting for marine use	P	P	P	P
	f. Marine industrial welding and fabrication	P	P	P	P
5. Maritime services: Functions necessary to serve in-water and on-land boat storage and working boatyards, including, but not limited to:	g. Boat manufacture	P	P	P	P
	a. Boat dealers, brokers and manufacturers' representatives	P	P	P	P
	b. Boat rentals, charters, and charters services	P	P	P	P
	c. Marine parts, supplies, accessory distributors	P	P	P	P
	d. Marine transportation and water taxis	P	P	P	P
	e. Marine documentation	P	P	P	P
	f. Boat show management and promotion	P	P	P	P
	g. Nautical component servicing	P	P	P	P
	h. Yacht designers	P	P	P	P
	i. Marine surveyors	P	P	P	P
6. Maritime retail: Display, sale and storage of marine parts, supplies, accessories, and provision of other goods including, but not limited to:	a. Marine hardware	P	P	P ¹ ,	P ^{1,2}
	b. Fishing tackle	P	P	P ¹	P ^{1,2}
	c. Marine chandleries	P	P	P ¹	P ^{1,2}
	d. Yacht furniture	P	P	P ¹	P ^{1,2}
	e. Marine maps, magazines, catalogues and other publications				P ^{1,2}
	f. Maritime retail			A-Std	A-Std
7. General maritime: General office and research functions contributing to maritime activities including, but not limited to:	a. Marine salvage, testing, research and environmental services	P	P		
	b. Marine salvage, testing, and environmental services				P ^{1,2}
	c. Maritime associations	P	P		P ^{1,2}
	d. Oceanographic laboratories and experimental facilities	P	P		P ^{1,2}

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Proposed Table of Uses – Waterfront Maritime Zoning Districts

P = Permitted Uses; S = Special Exception Use; -Std = Use Subject to Specific Standards *ADD REF*; A = Accessory Use; Blank = Not Permitted

		WMC	WMM	WMI	WME
	e. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices	P	P		P ^{1, 2}
	f. Tugboat, vessel towing services, fireboat, pilotboat, harbormaster and similar services	P	P		P ^{1, 2}
	g. Specialized professional services to the maritime industry	P	P		P ^{1, 2}
	h. Marine transport operations, including shipping offices	P	P		P ^{1, 2}
	i. Marine photography, printmaking and chart-making	P	P		P ^{1, 2}
	j. Yacht and sailing club offices	P	P		P ^{1, 2}
	k. Yacht finance	P	P		P ^{1, 2}
	l. Maritime service organizations		P		P ¹
	m. Boat show management				P ²
8. Maritime institutions:	a. Marine educational facilities	P			P ²
	b. Marine museums and aquariums	P			P ²
	c. Maritime service organizations	P	P		
9. Seafood industrial:	Landing, distribution, processing, brokerage, wholesale and retail sales of fish and shellfish		P	P	P
B. Other uses:					
Accessory uses		P	P		
<i>Governmental uses:</i>					
Parks and recreation facilities		P		P	P
Parking structures as accessory to permitted maritime uses on a separate zoning lot			S-Std		
Planned developments			P-Std	P-Std	P-Std
Retail sales of non maritime-related goods		S-Std	S-Std		
Temporary uses		P-Std	P-Std	P-Std	P-Std
Transient boater services, such as laundry, pool, recreation facilities and sales of convenience items				A-Std	
<i>Restaurants, class II, standard, provided that the use is provided in combination with a permitted principal use, and that the use does not occupy more than 30 percent of the total gross floor area on the lot.</i>	<i>Only in combination with:</i> <i>A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift,</i> <i>Seafood processing of nine thousand square feet,</i> <i>On-land boat storage of at least twenty-five thousand square feet, or</i> <i>Yacht and sailing clubs providing in-water and on-land boat storage to their members.</i> <i>Standards vary if buildings were existing or not at time of ordinance adoption.</i>				
<i>Restaurants Class II, standard</i>				S*	
<i>Restaurants Class II, standard, only in combination with a seafood processing of nine thousand square feet, or a working boatyard of at least twenty thousand square feet and a thirty-ton boat lift</i>					S*
<i>Restaurants existing prior to the date of the ordinance from which this section derives are permitted provided that they comply with all of the requirements of Section 21.55.040(A) plus additional language (see 21.55.040)</i>			S		
<i>Restaurants, class III miscellaneous</i>				A*	A*

¹ This use is permitted only on lots without waterfront frontage as of August 24, 1987.

² This use is permitted in buildings located within one hundred feet of the waterway, provided, however, that the use does not exceed 25 percent of the gross floor area of the lot.

DIVISION VI General Terms and Rules of Measurement

Chapter 21.54 List of terms and definitions

- A. Except as provided for elsewhere in this title, terms used in this title shall have the definition provided in any standard dictionary, unless specifically defined below or in any other provision of this title.

- B. Rules For Generic Definitions

1. Purpose of Generic Definitions.

Certain terms in this Chapter are defined to be inclusive of many uses in order to eliminate overly detailed listings of uses in the zoning districts established by this title. These terms are referred to in this title as “generic” definitions. Examples of generic definitions used in this title are “retail goods establishment,” “amusement establishment” and “light manufacturing”.

2. Components of Generic Definitions.

A generic definition has three components: (1) a brief listing of examples of uses intended to be included within the scope of the definition; (2) an identification (where appropriate) of certain uses which are not meant to be included by the term; and (3) a statement that for the purposes of each zoning district, any other uses specifically listed within the particular zoning district shall not be construed as falling within the generic definition.

3. Uses Not Listed or Not Within Scope of Generic Definition

A use which is not specifically listed in a zoning district, or which does not fall within a generic definition as defined in this Chapter, or as interpreted by the Director of Planning and Zoning pursuant to Division II *give specific reference* , is prohibited

Accessory building or use

A building or use that:

- A. Is subordinate in purpose to, and serves, a principal building or principal use;
- B. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- C. Is located on the same zoning lot as the principal building or use served, with the single exception of accessory off-street parking facilities permitted to locate elsewhere than on the same zoning lot with the building or use served.

Uses accessory to a special exception are permitted only when a special exception has been granted.

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Amusement establishment, indoor

A commercial establishment where the principal use or purpose is providing diversions or activities for entertainment, recreation, or pleasure. . The term “amusement establishment, indoor” includes, but is not limited to amusement arcades, bowling alleys, dance halls, pool halls swimming pools and skating rinks.

The term “amusement establishment, indoor” does not include any use that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

Animal hospital

A building or portion of a building designed or used for the care, observation or treatment of domestic animals. Animal hospital includes veterinarian office[CG1].

Arts and crafts store

An establishment where the principal use or purpose is the sale of goods, products and merchandise for the practice and enjoyment of arts and crafts. The term “arts and crafts store” includes but is not limited to antique stores, art and school supply stores, coin and stamp stores, gift shops, and hobby shops.

The term “art and craft store” does not include any use that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

Arts and crafts studio

An establishment where the principal use or purpose is practicing, producing, or selling arts and crafts. The term “art and craft studio” includes but is not limited to china and glassware stores, picture framing, jewelry sales and repair, musical instruments sales and repair, and interior decorating shops.

The term “art and craft studio” does not include any use that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

Bake shop

An establishment where bread, pastries and other baked goods are made and offered for sale, and the products are usually sold in bulk quantity and not for immediate consumption[CG2].

Basement

A portion of a building located partly or wholly underground and having more than one-half of its floor-to-ceiling height below the average grade of the adjoining ground[CG3].

Bed and breakfast home.

A single-family, owner-occupied detached dwelling which provides only transient lodging in not more than five rooms with a maximum stay of fourteen consecutive nights.

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Building height.

The vertical distance from the lowest point of a structure at its front elevation at grade to the highest point of the structure, not including accessory fixtures attached to the structure.

Refer to Chapter for measurement of building height in the historic district. **ADD CHAPTER REFERENCE. MAY ALSO ADD REFERENCE TO MEASUREMENT OF SIGN HEIGHT.**

Bulk

Bulk means the size and setbacks of buildings or structures and the location of the buildings or structures with respect to one another, and includes the following:

- A. Size and height of buildings;
- B. Location of exterior walls at all levels in relation to lot lines, streets or to other buildings;
- C. Gross floor area of buildings in relation to lot area (floor area ratio);
- D. All open spaces allocated to buildings;
- E. Amount of lot area provided per use[CG4].

Car wash

An area or structure equipped with facilities for washing automobiles[CG5].

Convenience store

A retail establishment, selling a limited number of food items, household items and some items prepared on the premises, including reheating, which can be immediately consumed, of no more than four thousand square feet gross floor area.

Day care, family.

Care provided for a fee to eight or fewer children under the age of thirteen, in a residence outside of the child's home, for a part of a twenty-four hour day, and regulated by the state Department of Human Resources.

Department store

Store selling a wide variety of goods and arranged in several departments.

Dwelling.

A building, or portion of a building, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multifamily dwellings, but not including house trailers and hotels.

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Dwelling, attached

One of a series of three or more dwellings which is joined to another dwelling at one or more sides by a party wall or walls. For example, townhouse, rowhouse, and quadraplex units are attached dwellings.

Dwelling, detached

A dwelling which is surrounded entirely by open space on the same lot.

Dwelling, multi-family

A building, or portion of a building, containing three or more dwelling units.

Dwelling, single-family

A building containing one dwelling unit.

Dwelling, two-family

A building or portion of a building containing two dwelling units. Two family dwellings may be attached or detached. Examples:

A detached dwelling containing an apartment is a two-family detached dwelling.

A duplex is a two-family detached dwelling with the units separated by one vertical party wall without openings extending from the basement floor to the roof along the dividing lot line.

A townhouse containing two dwelling units is a two-family attached dwelling.

Dwelling unit

Any habitable room or a group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking and eating of meals.

Established front yard

The front yard for a block or portion of a block that has been created by any existing legally constructed building or buildings, whether or not this yard meets the minimum yard requirements for the zoning district where the building or buildings are located[CG6].

Floor area ratio (F.A.R.)

The floor area of the building or buildings on a zoning lot divided by the area of the zoning lot, or, in the case of planned developments, by the net site area. The floor area ratio requirements, as set forth under each zoning district, determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

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Floor area (for determining floor area ratio[CG7])

The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

- A. The "floor area" of a building includes elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), penthouses, attic space having headroom of seven feet ten inches or more, interior balconies and mezzanines, enclosed porches and floor area devoted to accessory uses. However, any space devoted to basements, off-street parking or loading shall not be included in "floor area," except in maritime districts where space devoted to off-street parking structures at or above ground level shall be included.
- B. The "floor area" of structures devoted to bulk storage of materials, including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet; i.e., ten feet in height equals one floor.

Floor area (for determining off-street parking and loading requirements).

"Floor area," for determining off-street parking and loading requirements, means the sum of the gross horizontal areas of the several floors of the building, or portion of the building, devoted to such use, including accessory storage areas located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, "floor area," for the purposes of measurement for off-street parking spaces, does not include floor area devoted primarily to storage purposes except as otherwise noted in this section, floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space; or basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

Home occupation[CG8]

A business use conducted entirely within a dwelling unit or accessory building to a dwelling unit by a resident of the dwelling unit and which is clearly incidental and secondary to the use of the principal building on the zoning lot for dwelling purposes.

Inn

A hotel which has no more than twenty sleeping rooms and/or suites for use by transient guests, and which has no food and beverage service other than that provided for guests of the inn, and which may provide meeting or conference facilities for guests of the inn.

Institution for the care of the aged

A building or buildings which provide housing for senior citizens aged sixty-two and older and which include seniors specific amenities and services that meet the nutritional, social, recreational, medical, safety and transportation needs of the residents. This requirement may be met through the provision, for example, of meal service with common dining facilities, physical therapy facilities and activities, social and recreation facilities and activities, exercise facilities, meeting rooms and library service, health care service including a dedicated medical examination room, and personal services such as either an internal

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trash chute or trash pickup for each unit, an emergency response system for each unit and cleaning services for each unit.

The term “institution for the care of the aged” includes acute care facilities such as nursing homes, assisted living facilities, and independent living facilities[CG9].

Kennel

A premises on which dogs or cats are maintained, boarded, bred or cared for, in return for remuneration, or are kept for the purpose of sale.

Office and business services establishment

An establishment providing business services for office and business uses. The term “office and business services” includes but is not limited to are blueprinting and photostating, business machine sales and service, camera and photographic supply, computer supply and service facilities, office supply stores, package mailing service establishments, fax and telegraph facilities, and photocopying and reproduction shops.

The term “office and business services” does not include any that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

Personal care establishment

An establishment providing services for the customary comfort, convenience or care of individuals. The term “personal care establishment” includes but is not limited to barbershops, beauty parlors, dressmaking/tailoring stores, drugstores, , and photography studios.

The term “personal care establishment” does not include any that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

Rest home or nursing home[CG10]

A private home, not age restricted, for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders. This home does not contain equipment for surgical care or for the treatment of disease or injury.

Retail goods store

An establishment where the principal use or purpose is the sale of physical goods, products, and merchandise directly to the consumer. The term “retail goods store” includes, but is not limited to clothing and apparel stores, dry goods stores, leather goods and luggage stores, furrier shops, medical appliance and supply stores, pawnshops, pet shops, shoe shops, sporting goods stores, and toy shops.

The term “Retail goods store” does not include any use or other type of establishment that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

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Specialty convenience retail store

An establishment where the principal use or purpose is the sale of convenience products directly to the consumer. These stores usually specialize in one type or line of inter-related products. The term “specialty convenience retail goods store” includes but is not limited to book and stationery stores, camera and photographic supply stores, florists, and hardware, paint and wallpaper stores.

The term “specialty convenience retail store” does not include any use that is otherwise listed specifically in the Table of Permitted Uses for the zoning district where the term is used.

The term “specialty convenience retail store” does not include a “Convenience store” as defined in this Chapter.

Story [CG11]

The space in a building between two adjacent floor levels or between a floor and the roof. A basement, as defined in this title, is not a story.

Use, principal

The main use of land or buildings as distinguished from a subordinate or accessory use. A principal use may be a permitted use, a special exception use, or a use subject to standards.

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DIVISION ...

Chapter Use Provisions and Standards

Uses listed as subject to standards in Chapter *add* are subject to the provisions and standards enumerated in this Chapter.

Standards for parking and loading are in Chapter *add*

Standards for signs are in Chapter *add*

Landscape plans, when specifically required, shall be prepared in accordance with *Parking and Landscaping: A Manual of Landscape Standards for Parking Lots, Department of Planning and Zoning, Revised 1986. [CG1]*

Adult bookstore

Video sales may be permitted as an accessory use to the special exception.

Antique stores

- A. This use may be provided only on a ground floor.
- B. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.
- C. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Apartment hotel

- A. In apartment hotels containing forty or more dwelling units the following uses are permitted: restaurants, drugstores, retail food shops, valet shops, beauty shops, barbershops, gift shops and physical health facilities (including massage, steam bath, gym).
- B. The uses in subsection A. shall be accessible only through the lobby, with no advertising or display visible from outside the building.

Arts and crafts stores

- D. This use may be provided only on a ground floor.
- E. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.

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- F. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Arts and crafts studios

- A. This use may be provided only on a ground floor.
- B. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.
- C. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Bake shops

See food-related uses

Bed and breakfast home

A. R2-Eastport, R3- Presidents Hill, C1, and C1A districts:

- 1. Number and location of bed and breakfast homes:
 - a. C1, C1A, and R2-Eastport districts,
 - i. For each side of a block between two intersecting streets there shall be no more than two bed and breakfast homes,
 - ii. No two bed and breakfast homes shall be located on adjacent properties with the exception of any bed and breakfast homes holding a valid, current license issued by the city pursuant to Chapter 17.44 as of June 20, 1994,
 - iii. No bed and breakfast home shall be located in an attached dwelling with the exception of any bed and breakfast homes holding a valid, current license issued by the city pursuant to Chapter 17.44 as of June 20, 1994.
 - b. R3-Presidents Hill District
 - a. There shall be no more than one bed and breakfast home for every block on any street located in the district and no two bed and breakfast homes shall be located on adjacent properties.
 - b. No bed and breakfast home shall be located in an attached or multi-family dwelling.
- 2. The individual recorded owner of the property shall be the operator of the bed and breakfast and reside on the premises. No resident managers shall be allowed to operate a bed and breakfast.

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3. The number of guests shall not exceed the maximum allowed by the life safety code.
4. There shall be only one kitchen within the entire dwelling. No cooking facilities are permitted in guest rooms.
5. No food or beverage service may be provided for transient guests other than breakfast provided in the areas of the dwelling commonly used by the resident family for the consumption of food.
6. Bed and breakfast homes shall not have a separate apartment within the entire dwelling or on the subject property such as a carriage house, garage, etc.
7. Bed and breakfast homes shall have interior stairs to serve all habitable living spaces within the entire dwelling including basements and attics, except that this provision does not apply in the C1 or C1A districts to any bed and breakfast homes holding a valid, current license issued by the city pursuant to Chapter 17.44 as of June 20, 1994.
8. The owner(s) of record of the property shall obtain a rental license from the Department of Public Works.
9. The resident owner shall keep a current guest register including names, addresses and dates of occupancy of all guests available for inspection by the licensing agency.
10. The use shall be subject to all applicable city code regulations including but not limited to building, fire, and health regulations.
11. In the R2-Eastport district no bed and breakfast license will be required for special events including multi-day graduation events and multi-day boating event and other similar events as determined by the Director of Planning and Zoning.
12. In the C1 and C1A districts, in the case of a license for a bed and breakfast home holding a valid, current license issued by the city pursuant to Chapter 17.44 as of June 20, 1994 nothing in this title shall preclude the renewal or transfer of that license.
13. Bed and breakfast homes shall be subject to the same use and occupancy tax levied for hotels and motels under Section 7-403(B) and (C) of the Anne Arundel County code (or its successors[CG2]). ***MAY DELETE THIS PROVISION –QUESTION TO STAFF***
14. Special provisions for the R2-Eastport and R3- Presidents Hill districts
 - a. The bed and breakfast use shall be subordinate and incidental to the principal residential use of the property and located within an existing structure.
 - b. Bedroom rental units may not occupy more than sixty percent of the living space of the single-family dwelling.
 - c. The applicant for a bed and breakfast license shall post a public notice on the property indicating that a bed and breakfast license for the property is being sought. This sign shall contain such information as may be required by the Director of Planning and Zoning shall be posted for a period of not less than ten days.

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B. R3-West Street

This use is permitted in principal structures existing on October 10, 1988 [CG3]subject to the standards in this section. A structure may be enlarged by a maximum of fifty percent of the overall floor area existing on October 10, 1988 to maintain classification as an existing structure. Enlargements in excess of fifty percent shall be considered new construction.

1. An owner shall live on the premises,
2. The facility shall be part of the dwelling unit and have no more than one nonresident employee,
3. No separate kitchens shall be provided,
4. No food or beverage service may be provided for transient guests other than breakfast provided in the areas of the dwelling commonly used by the resident family for the consumption of food,
5. Notwithstanding the definition of bed and breakfast home in Division . a maximum of six guest rooms are allowed with no maximum duration-of-stay restrictions.

Bed and breakfast home in a structure constructed or erected after December 14, 1998 on a vacant lot of record

Where this use is established after the fifth anniversary of the structure's original occupancy permit, the use may be permitted as a matter of right subject to the standards for bed and breakfast homes in the R2-Eastport district

Candy stores including candy making

See food-related uses.

Catering establishments

See food-related uses.

Christmas tree and greens sales

- A. Sales are allowed only on a seasonal basis.
- B. No permanent structures shall be erected in conjunction with the sales.
- C. Portable tables and umbrellas may be utilized for the sales.
- D. Site design review under Chapter is required.
- E. Where it can be demonstrated that there is no negative impact on the availability of parking for such other uses as may occupy the site, a variance to the parking requirement may be granted at the discretion of the Director of Planning and Zoning in order to utilize those parking spaces for the temporary use.

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- F. No use may be made of landscape buffers for sales.
- G. The Department of Planning and Zoning may establish requirements for hours of operation, refuse removal and deliveries.
- H. Refuse containers shall be provided and the cleanliness of the site and adjacent areas, as defined by the Department of Planning and Zoning, shall be maintained.

Clubs, lodges and meeting halls, with on-premises food or beverage preparation facilities

See food-related uses.

Convenience Store

- A. Convenience stores shall comply with the standards for Food-related uses.
- B. Any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning. Determination of impact shall be made through a suitable traffic impact analysis of the proposed use[CG4].

Day care, family

- A. Operators of family day care homes must be residents of the principal building on the zoning lot, and not more than one nonresident of the zoning lot may be employed in the family day care home at any given time;
- B. No off-street parking provided for a family day care shall be located in a required front yard. In the instance of a family day care home in the R1, R1-A, R1-B, R2, and R2-Eastport zones involving a nonresident employee, one additional off-street parking place shall be provided;
- C. No family day care shall create noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard, or other hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no family day care home exists;

Day care center, child

- A. There shall be provided 37.5 square feet of usable outdoor recreation area for each child that may use the space at any one time. Such usable outdoor recreation area shall be identified on the site plan and shall be sufficiently buffered from adjacent residential areas. Usable outdoor recreation area shall be limited to:
 - 1. Those areas that are not covered by buildings, structures or required off-street parking spaces,
 - 2. That area outside the limits of the required front yard and all transitional yards,
 - 3. Only that area which is developable for active outdoor recreation purposes, and

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4. An area which occupies no more than eighty percent of the combined total areas of the required rear and side yards.
- B. The use shall comply with Article 88A of the Annotated Code of Maryland and the State Department of Human Resources regulations regarding group day care centers.
- C. All such uses shall be located so as to permit the safe pick-up and delivery of all persons on the site.

Day care centers, group, in conjunction with public school facilities

- A. The use is subject to review and approval by the Department of Planning and Zoning.
- B. A minimum usable outdoor recreation area of 50 square feet per child shall be provided. Such area shall be located to ensure a safe and secure play area and be sufficiently buffered from adjacent residential areas.
- C. A safe on-site drop-off and pick-up area shall be provided.
- D. Adequate on-site parking sufficient to accommodate the users of the facility shall be provided, with signage to reserve spaces for the day care center.
- E. The center shall comply with all the licensing requirements under Article 88A of the Annotated Code of Maryland.

Dwellings, multi-family

- A. Notwithstanding any other provision of *Chapter 21.94*, a minimum of one off-street parking space shall be provided for each dwelling unit. *This text may be moved to parking.*
- B. On lots of 40,000 square feet or greater, permanent usable common open space equal to ten percent of the lot area shall be identified and dedicated for passive recreational activities or limited active recreation. In the case of attached units, each unit shall have an individual rear yard which may be included in calculating the required common open space. The area required for parking lot landscaping or buffers shall not be included in the open space calculation.
- C. Pedestrian traffic through and around the use shall be separated from driveways and parking areas through the use of sidewalks.
- D. If surface parking is located on the zoning lot, it shall be located at the rear of the zoning lot and new structures shall be located at the front of the zoning lot.
- E. If surface parking located on the zoning lot is adjacent to single-family residential use, dense plantings shall be installed and maintained on the zoning lot to provide an effective screen.
- F. Any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning. Determination of impact shall be made through a suitable traffic impact analysis of the proposed use.
- G. Any of the foregoing standards may be modified or waived by the director of planning and zoning if the director determines that the modification or waiver is in the public interest and is

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necessary in order to further the purposes of the mixed use district. An applicant requesting a modification or waiver under this provision, shall specify the modification or waiver requested in the application. In addition, for fifteen consecutive days immediately following the date of the application, notice shall be posted with a sign on the property designating the modification or waiver sought of the director of planning and zoning.

Dwellings, multi-family containing six or fewer dwelling units

This use is permitted in principal structures existing on October 10, 1988 subject to the standards in this section. A structure may be enlarged by a maximum of fifty percent of the overall floor area existing on October 10, 1988 [CG5] to maintain classification as an existing structure. Enlargements in excess of fifty percent shall be considered new construction.

- A. Permanent usable common open space equal to twenty percent of the lot area shall be identified and dedicated for passive recreational activities,
- B. The minimum lot area provided per dwelling unit shall be not less than one thousand eight hundred square feet,
- C. All trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure,
- D. Pedestrian traffic through and around the project shall be separated from driveways and parking areas,

Dwellings, multi-family, containing 12 or fewer units

This use is permitted when it is provided above the first floor in conjunction with office/commercial uses and is subject to the following standards:

- A. All trash and refuse shall be stored in self-enclosed trash storage areas. Trash areas shall be screened in an appropriate manner using a board on board enclosure.
- B. Permanent common open space shall be provided for multifamily uses. The permanent common open space shall be used for either:
 - 1. Passive recreational amenities such as outdoor eating; and/or
 - 2. Recreational space for limited active recreational activities.
- C. Pedestrian traffic through and around the project shall be separated from driveways and parking lots through the use of sidewalks.
- D. Parking areas shall be provided at the rear of the site and structures shall be located at the front of site.

Dwellings, single-family attached

- A. In the MX district this use is subject to the same standards as apply to multi-family dwellings.

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- B. In the PM district this use is also subject to any additional provisions for single-family attached dwellings in the R3 district. CHECK THIS: UNCLEAR IF THERE ARE ADDITIONAL PROVISIONS, IF NOT THE STD DESIGNATION NEEDS TO BE REMOVED FROM THE USE TABLE***

Food-related uses

The standards in this section apply to the following uses:

1. Bake shops,
 2. Candy stores including candy making,
 3. Catering establishments,
 4. Clubs, lodges and meeting halls, with on-premises food or beverage preparation facilities,
 5. Markets, open air,
 6. Supermarkets
- A. A site plan for the use is required. ***Make sure reference to site plan works with R&C rewrite***
- B. Noise emanating from any use shall not be of such a volume to disturb the quiet and enjoyment of property in any nearby residential zoning districts.
- C. Loitering is not permitted around the exterior of any use.
- D. Kitchens and food preparation areas shall be designed, maintained and operated in a manner to minimize noise and odors, and to eliminate grease flows into city sewers in strict adherence to the city's plumbing code. An outdoor spigot shall be installed if required.
- E. The proposed use shall comply with the City's Comprehensive Plan and any sector plans applicable to the area where the use will be located.
- F. Trash
1. All trash and refuse shall be stored in self-enclosed trash storage areas. These trash storage areas shall be located either within the establishment or within the structure on which the establishment is located, or shall consist of a properly screened and maintained dumpster on the property on which the establishment is located.
 2. Except where trash is placed in accordance with paragraph 1 of this Section, trash receptacles shall not be placed outside for pick-up until one-half hour prior to the scheduled pick-up time and shall be removed within one-half hour after trash pick-up.
 3. The cleanliness of all trash storage areas and all sidewalks adjoining the establishment shall be maintained.
- G. In the MX district any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning.

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Determination of impact shall be made through a suitable traffic impact analysis of the proposed use.

Garden supply, tool and seed stores

All business must be conducted indoors.

Home occupations

- A. The total floor area utilized for the occupation, including both indoor and outdoor areas, shall not exceed 25 percent of the total floor area of the dwelling unit.
- B. Operators of home occupations must be residents of the principal building on the zoning lot; and not more than one nonresident of the zoning lot may be employed in the occupation.
- C. Home occupations may include the uses listed below:
 - 1. Arts and crafts studios;
 - 2. Beauty parlors limited to one chair, in the R4-Clay Street district only;
 - 3. Business and professional offices;
 - 4. Computer services;
 - 5. Dressmaking, tailoring and similar uses;
 - 6. Photography studios;
 - 7. Repair services for bicycles, cameras, clocks, computers, jewelry, or small appliances;
 - 8. Tutoring, including music and dance; and
 - 9. Other similar uses consistent with the provisions of this section. *May refer to use interpretation section when drafted.*
- D. The following uses are not permitted as home occupations:
 - 1. Beauty parlors including hairdressing, except as otherwise permitted in this section;
 - 2. Food preparation services including catering;
 - 3. Furniture refinishing;
 - 4. Rental services;
 - 5. Manufacturing and processing operations other than the production of arts and crafts; and
 - 6. Motor vehicle sales, repair or painting.

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7. Other uses inconsistent with the provisions of this section. ***May refer to use interpretation section when drafted.***
- E. Home occupations shall not sell goods on the premises in the same form as that in which the goods are purchased by the operators; and only articles or services produced on the premises shall be displayed or sold.
 - F. A home occupation shall not alter the residential appearance and character of the dwelling, accessory building, or zoning lot.
 - G. There shall be no exterior evidence, other than a sign, to indicate that the lot is being used for any purpose other than that of a dwelling. Exterior evidence shall include outdoor display or storage of merchandise or of service vehicles, noise, dust, vibration, glare, fumes, odors or extensive parking area.
 - H. Where a home occupation has a nonresident employee, one additional off-street parking place shall be provided.
 - I. No off-street parking provided for a home occupation shall be located in a required front yard.

Hotels with up to forty rooms, including restaurants and conference room facilities

- A. Notwithstanding any other provision of Chapter 21.94, parking spaces equal to not less than thirty-three percent of the number of lodging rooms at the hotel shall be provided. Parking shall be provided either on the zoning lot, or off of the zoning lot; provided a valet parking drop-off station is located on the zoning lot or a combination of both. This requirement may be waived in whole or in part by the director of planning and zoning upon a showing that there is adequate parking within eight hundred feet of the zoning lot; ***This text may be moved to parking.***
- B. If surface parking is located on the zoning lot, it shall be located at the side and/or the rear of the zoning lot and new structures shall be located at the front of the zoning lot. If surface parking located on the zoning lot is adjacent to single-family residential use, dense plantings shall be installed and maintained to provide an effective screen on the zoning lot;
- C. Pedestrian traffic through and around the use shall be separated from driveways and parking areas through the use of sidewalks;
- D. Food service shall be subject to the standards for food-related uses.
- E. If a conference room facility is to be utilized by persons other than guests of the hotel, the number of parking spaces required under paragraph A. above shall be increased by a number equal to thirty percent of the maximum capacity of the conference room facility.
- F. Any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning. Determination of impact shall be made through a suitable traffic impact analysis of the proposed use.
- G. Any of the foregoing standards may be modified or waived by the director of planning and zoning if the director determines that the modification or waiver is in the public interest and is necessary in order to further the purposes of the mixed use district. An applicant requesting a modification or waiver under this provision, shall specify the modification or waiver requested

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in the application. In addition, for fifteen consecutive days immediately following the date of the application, notice shall be posted with a sign on the property designating the modification or waiver sought of the director of planning and zoning.

Inns

The purpose of the inn special exception is to promote the preservation of large parcels of residentially zoned land by allowing appropriately located property to be developed as an inn through the special exception process. It is intended that these inns shall be located in existing structures on a parcel of land of sufficient size that the impacts of the use will be minimized. Because this section will allow the commercial use of residentially zoned property, special exception approval is subject to additional specific findings contained in this section. Development of an inn must ensure compatibility with the character of the surrounding area, in addition to other applicable standards. The following are the minimum standards which shall be met before a property may be considered for a special exception as an inn.

- A. Existing structure. The inn shall be located in a single family dwelling on a lot of record, provided both exist as of January 13, 1997. No new dwelling or lot may be created for purpose of this use and no dwellings may be demolished for the purpose of this use.
- B. Road Access. The lot shall have access to a collector or arterial street without going through an established residential community or neighborhood.
- C. Signs. Signs shall be compatible with the character of the underlying zone.
- D. Site plan review is required;
- E. All alterations and additions to the existing dwelling shall preserve the character and design of the existing dwelling.
- F. Accessory structures. In addition to the requirements of the underlying zone, the bulk of accessory structures shall be regulated as follows:
 - 1. The height of accessory structures shall not exceed the height of the principal structure
 - 2. Accessory structures within two feet of any property line except rear property lines adjacent to an alley shall have a cornice height not to exceed eight feet and a ridge height of sixteen feet. Where there are physical constraints or in order to achieve compatible design a two foot tolerance to the cornice height and a four foot tolerance to the ridge height may be permitted.
 - 3. The cornice and ridge heights of an accessory structure may increase one foot for each one foot of additional setback beyond two feet up to a maximum height of two stories and/or a cornice height of sixteen feet and a ridge height of compatible design.

Institutions for the care of the aged

- A. The scope and type of services and facilities required will be as determined appropriate for the specific institution and subject to a determination that the services meet the goals established herein[CG6].

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- B. All facilities and services provided by the institution shall meet the ADA definition of accessibility and all residential or living units of the facility shall meet the ADA definition of adaptability.

Living quarters, detached, for persons employed on the premises

Living quarters may be occupied only by those persons employed and their immediate family.

Markets, open air

See food-related uses

Maritime retail

This use is limited to 25 percent of the gross floor area of development on the lot.

Medical appliance stores

- A. This use may be provided only on a ground floor.
- B. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.
- C. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Mooring slip or dock, private

One slip per 25 feet of waterfront owned is permitted, but not less than one slip as in the case of a lot with less than 25 feet of waterfront[CG7].

Neighborhood convenience shopping uses in the PM2 District

The standards in this section apply to the following uses:

- 1. Food stores,
 - 2. Personal care establishments,
 - 3. Retail goods stores, and
 - 4. Specialty convenience retail goods stores.
- A. A site plan for the use is required.
 - B. Appropriate sound suppression techniques shall be employed to ensure that the level of noise emanating from within any establishment will not disturb the quiet and enjoyment of property in any nearby residential zoning districts

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- C. Loitering is not permitted around the exterior of any use.
- D. Kitchens shall be designed, maintained and operated in a manner to minimize noise and odors.
- E. Within an establishment live entertainment is not allowed and any recorded music shall be limited to background variety only.
- F. Hours of deliveries shall be limited, to the extent feasible, based upon proximity of the development to residential land uses and if commercial vehicles require the use of primarily residential roadways to access the commercial development.
- G. Drive-through windows are only permitted upon the preparation and approval of a traffic-impact study and the mitigation of identified impacts.
- H. Trash
 - 1. All trash and refuse shall be stored in self-enclosed trash storage areas. These trash storage areas shall be located either within the establishment or within the structure on which the establishment is located, or shall consist of a properly screened and maintained dumpster on the property on which the establishment is located.
 - 2. Except where trash is placed in accordance with paragraph 1 of this Section, trash receptacles shall not be placed outside for pick-up until one-half hour prior to the scheduled pick-up time and shall be removed within one-half hour after trash pick-up.
 - 3. The cleanliness of all trash storage areas and all sidewalks adjoining the establishment shall be maintained.

Offices, business and professional, and nonprofit, educational, cultural, or civic

- A. In the B1 district business and professional offices are permitted only above the ground floor of other permitted uses. Offices of nonprofit educational, cultural or civic organizations are permitted on the ground floor.
- B. In the P district this use is permitted by right on lots of 5,400 square feet or more. On lots less than 5,400 square feet the use may be permitted by special exception.
- C. In the PM district when this use is established on lots less than 5,400 square feet the following standards apply:
 - 1. All trash and refuse shall be stored in self-enclosed trash storage areas. Trash areas shall be screened in an appropriate manner using a board on board enclosure.
 - 2. Pedestrian traffic through and around the project shall be separated from driveways and parking lots through the use of sidewalks.
 - 3. Parking areas shall be provided at the rear of the site and structures shall be located at the front of site.

Office or studio of a professional person

- A. The use shall be conducted in a building suited to residential use or conforming in appearance to a building suited to residential use,
- B. Sales, storage, or display of goods or advertising material are not permitted.

Parking garages

- A. Underground parking garages are a permitted use.
- B. Garages up to three levels of above-grade parking are a permitted use subject to the following standards:
 - 1. Any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning. Determination of impact shall be made through a suitable traffic impact analysis of the proposed use.
 - 2. The visibility of all parking facilities from any street or residential zoning district shall be minimized whenever possible. Visible facades of parking facilities shall be designed to be compatible with the architectural character of surrounding structures.
 - 3. Measures, as required by the department of planning and zoning, shall be taken to restore the vertical edge of the streetscape.
- C. Parking garages in excess of three levels of above-grade parking may be permitted by special exception. The standards for garages up to three levels of above-grade parking must be met in addition to the standards for approving a special exception[CG8].

Parking Lots

A. MX district

- 1. Temporary surface parking lots not to exceed 6 months duration are a permitted use.
- 2. Surface parking other than permitted in subsection 1. above are subject to the following standards:
 - a. A landscape plan is required;
 - b. Measures shall be taken to screen the view of cars in parking lots;
 - c. A ten foot wide buffer strip at all street edges of the zoning lot shall be reserved for walls or plantings, or a combination thereof in order to screen the zoning lot;
 - a. Plantings and any constructed edge shall be compatible in material, design and scale to the prevailing character of the street.

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B. PM district

- a. A landscape plan is required. In cases where parking lots abut a residential zoning district additional planting or screening may be required.
- b. Parking lots shall not impact negatively the critical lane levels of service for adjoining intersections.
- c. Parking lots shall be designed to minimize interruption of normal street traffic[CG9].
- d. All lots shall be signed in an appropriate manner to guide traffic into, around and out of the lot

Parking structures as accessory to permitted maritime uses on a separate zoning lot

- A. No parking structure shall exceed twenty-eight feet in height, measured at the highest point above existing grade level,
- B. Parking structures should be minimally visible from any street, waterway or residential zoning district. Facades of parking structures must be designed to be compatible with the architectural character of surrounding structures.
- C. All structures shall be densely landscaped to provide an effective fifty percent screen.

Personal care establishments

- A. This use may be provided only on a ground floor.
- B. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.
- C. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Philanthropic and charitable institutions, civic nonprofit organizations, and social and fraternal organizations

This use does not including businesses sponsored by those institutions, except businesses accessory or incidental to and located in the same building as the institution proper.

Planned developments

Planned developments are permitted subject to approval by the Planning Commission pursuant to procedures set forth in Chapter . **NEED TO ADD LANGUAGE REFERRING TO DIVISION II (CHAPTER 21.18 IN ANNOTATED OUTLINE).**

Use exceptions are not permitted in Waterfront maritime districts[CG10]. **CHECK THIS LANGUAGE IN RELATION TO ANY CHANGE IN PD REGS**

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Professional offices

- A. This use is permitted only in combination with one of the following:
 - 1. A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift,
 - 2. Seafood processing of nine thousand square feet,
 - 3. On-land boat storage of at least twenty-five thousand square feet, or
 - 4. Yacht and sailing clubs providing in-water and on-land boat storage to their members.
- B. In structures in existence as of August 24, 1987 this use may not exceed 30 percent of the total gross floor area of development on the lot.
- C. In structures constructed after August 24, 1987 the use is also subject to the following:
 - 1. The use may not exceed 25 percent of the total gross floor area of development on the lot.
 - 2. The use is not permitted in buildings or structures within 100 feet of the waterfront or mean high waterline.

Retail sales of non maritime-related goods

A. WMC District

- 1. In structures in existence as of August 24, 1987 this use may not exceed 30 percent of the total gross floor area of development on the lot.
- 2. In structures constructed after August 24, 1987 this use may not exceed 25 percent of the total gross floor area of development on the lot.

B. WMM District

- 1. This use is permitted only in combination with one of the following:
 - a. A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift,
 - b. Seafood processing of nine thousand square feet,
 - c. On-land boat storage of at least twenty-five thousand square feet, or
 - d. Yacht and sailing clubs providing in-water and on-land boat storage to their members.
- 2. In structures in existence as of August 24, 1987 this use may not exceed 30 percent of the total gross floor area of development on the lot.
- 3. In structures constructed after August 24, 1987 the use is also subject to the following:

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- a. The use may not exceed 25 percent of the total gross floor area of development on the lot.
- b. The use is not permitted in buildings or structures within 100 feet of the waterfront or mean high waterline.

Specialty convenience retail store

- A. This use may be provided only on a ground floor.
- B. New construction, expansion or substantial rehabilitation shall not provide commercial or retail uses greater than fifty percent of a structure's gross floor area.
- C. Where this use is established on lots less than 5,400 square feet in size, all trash and refuse shall be stored in self-enclosed trash storage areas. Trash storage areas shall be screened in an appropriate manner using a board-on-board enclosure.

Supermarkets

See Food-related uses.

Temporary uses[CG11]

The following temporary uses are permitted in the zoning districts indicated

A. All zoning districts

1. Storage of building materials and equipment, and temporary buildings for construction purposes, for a period not to exceed the duration of the construction. No yards are required provided that there shall not be undue interference with the use and enjoyment of neighboring property[CG12].
2. Use of governmental property, including the erection of a tent or other temporary structure, for a carnival, circus or other activity.
3. Use of non-governmental property for up to five days by a nonprofit, educational, cultural, or civic organization for a carnival, street fair, circus or similar activity including the erection of a tent or other temporary structure. The operator must obtain all permits required by law.
4. Model homes and real estate tract offices for rental or sale of buildings in a project. A real estate office shall be removed upon the initial sales of all units in a project.
5. Yard sales and garage sales, up to 10 days in a calendar year.

B. Waterfront maritime districts

Temporary festivals in conjunction with maritime uses up to thirty days duration,

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Theaters, indoor

- A. Notwithstanding any other provision of **Chapter 21.94**, parking spaces equal to not less than thirty percent of the maximum seating capacity of the establishment shall be provided on the zoning lot. This requirement may be waived in whole or in part by the director of planning and zoning upon a showing that there is adequate parking within 800 feet of the zoning lot; ***This text may be moved to parking.***
- B. If surface parking is located on the zoning lot it shall be located at the rear of the zoning lot and shall be screened from adjacent uses. If surface parking located on the zoning lot is adjacent to single-family residential use, dense plantings shall be installed and maintained to provide an effective screen;
- C. ***Notwithstanding any other provision of Chapter 21.94, indoor theaters shall be permitted one marquee sign not larger than fifteen percent of the area of the facade on which it is located, but in no event shall the marquee exceed one hundred twenty square feet in area. No other signs shall be permitted; REVIEW IN RELATION TO SIGN REGULATIONS***
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- D. Any adverse impact on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning. Determination of impact shall be made through a suitable traffic impact analysis of the proposed use.
- E. Any adverse impacts on critical lane levels of service at adjoining intersections shall be mitigated by the applicant as required by the director of planning and zoning.
- F. Any of the foregoing standards may be modified or waived by the director of planning and zoning if the director determines that the modification or waiver is in the public interest and is necessary in order to further the purposes of the mixed use district. An applicant requesting a modification or waiver under this provision, shall specify the modification or waiver requested in the application. In addition, for fifteen consecutive days immediately following the date of the application, notice shall be posted with a sign on the property designating the modification or waiver sought of the director of planning and zoning.

Theaters, indoor, located in shopping centers

Adequate parking must be provided for the theater and for other uses in the shopping center.

Transient boater services

- A. This use is only permitted when such services are provided in conjunction with in-water boat storage and at least one of the following other maritime uses: seafood industrial, boat repair and maintenance or marine fabrication.
- B. In no case shall such accessory services be located within the one-hundred-foot maritime use setback.

Page: 1

[CG1] Current code contains several references to different guidelines or standards. This reference is intended to make one single type of reference.

Page: 3

[CG2] This provision presumably applies to all bed and breakfasts. Provision is not currently in C1 or C1A.

Page: 4

[CG3] Ordinance 43-88

Page: 5

[CG4] This language varies through the code. This proposed language will be made consistent.

Page: 7

[CG5] Ordinance 43-88

Page: 11

[CG6] Standards moved from current definition. Determination currently to be made by planning and zoning director, presumably should be made by body approving the special exception.

Page: 12

[CG7] Moved from the residential district yard tables, for example Table 21.16.040C. This is a use regulation as opposed to a yard regulation. The statement of no yard requirement is retained in the bulk regulations table.

Page: 14

[CG8] Last sentence added. May put a general statement at the beginning of this chapter depending on how many of these there are.

Page: 15

[CG9] , “Maximize ingress and egress points” standard deleted: it may be desirable to limit the number of access points

Page: 15

[CG10] This condition applies in the WMM, WMI and WME.

Page: 17

[CG11] Some of these moved from former Section 21.02.110 (exempted uses). Added street fair and some standards such as requirement to obtain necessary permits and removal of uses. Yard sale and garage sale listing is new.

Page: 17

[CG12] Second sentence taken from bulk regulations tables, such as Table 21.12.040C